

21 JAN 1956

THE MADRAS LEGISLATIVE ASSEMBLY.

Monday, 26th September 1955.

The House met in the Assembly Chamber, Government Estate, Mount Road, at eleven of the clock, the Deputy Speaker (SRI B. BHAKTHAVATSALU NAIDU) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

DEPUTY SPEAKER: The Hon. Minister for Agriculture wants to go away early. So, with the permission of the House, I shall take up the questions relating to him in the beginning.

Co-operative Tannery Society

* 2470 Q.—SRI N. K. PALANISAMY: Will the Hon. the Minister for Agriculture be pleased to state whether the Government have any proposal to start a co-operative tannery society in Tiruchirappalli?

THE HON. SRI M. BHAKTAVATSALAM: Yes, Sir.

SRI N. K. PALANISAMY: எவ்வளவு பணம் ஒதுக்கப்பட்டிருக்கிறது.

THE HON. SRI M. BHAKTAVATSALAM: கனூர் தாலுக்காவில் இதுமாதிரி கூட்டுறவு சங்கம் வைப்பதுபற்றி 84 ஆயிரம் ரூபாய் கடனும், மூவாயிரத்து நானூறு ரூபாய் சொச்சம் சொஸைடிக்குக் கிராண்டாகக் கொடுப்பது என்றும் சேலத்தில் வைக்கின்ற கூட்டுறவு சங்கத்திற்கு 12 ஆயிரம் ரூபாய் கடனும், எழாயிரத்து அறுநூறு ரூபாய் சொச்சம் கிராண்டாகவும் கொடுப்பது என்று இப்பொழுது யோசிக்கப்பட்டு வருகிறது. ஆனால் இதிலே கிராண்டாகக் கொடுப்பதை மத்திய அரசாங்கம் கொடுக்க வேண்டுமென்று கேட்டிருக்கிறோம். அந்த நிலையில் இப்பொழுது இருக்கிறது.

SRI M. PALANIYANDI: திருச்சி நகரத்தில் கூட இதுமாதிரி தோல்பதனிடும் சாலையை கூட்டுறவு சங்கத்தின் மூலம் ஆரம்பிப்பதற்கு முன் வந்தால் அரசாங்கம் அதற்கு ஆதரவு கொடுக்குமா என்று கேட்கிறேன்.

THE HON. SRI M. BHAKTAVATSALAM: குறிப்பான பிரயோசல் வந்தால் அதைப்பற்றி அரசாங்கம் பரிசீலிக்கும்.

SRI S. R. ARUMUGHAM: கோயம்பத்தூர் ஜில்லாவில் தோல் பதனிடும் தொழிற்சாலை ஒன்று இருந்தது. அது சரியாக வேலை செய்யவில்லையென்று தெரிகிறது. அதை சொஸைடி மூலம் திறமையாக நடத்துவதற்கு முன் வந்தால் அதற்கான உதவியை அரசாங்கம் அளிக்க முன் வருவார்களா?

DEPUTY SPEAKER: The main question relates to Tiruchirappalli and not to Coimbatore.

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Industrial Tribunal awards

* 2473 Q.—**SRI N. K. PALANISAMY**: Will the Hon. the Minister for Agriculture be pleased to state whether the Factory Inspectors have been given instructions to report on the implementation or non-implementation of awards in industrial disputes by the managements of textile mills, factories and motor transport organizations in this State?

THE HON. SRI M. BHAKTAVATSALAM: No, Sir.

SRI N. K. PALANISAMY: இப்பொழுது சாதாரணமாக டிரிப்ப்யூனல் ஒரு அவார்டு கொடுத்தால் அது சரியானபடி அமுல் செய்யவில்லையென்பதற்கு பல உதாரணங்கள் சொல்ல முடியும். உதாரணமாக புதுக்கோட்டை கணபதி மில்லை எடுத்துக் கொண்டால் தொழிலாளர்களுக்கு நஷ்ட ஈடு கொடுக்க வேண்டுமென்று தீர்ப்பு செய்தார்கள். அதன்மேல் அந்த மில் முதலாளி ஸ்டே ஆர்டர் வாங்கினார். அதற்குப் பிறகு அந்த முதலாளியை கைதி செய்யவேண்டுமென உத்திரவு போடப்படும் வரையும் ஒன்றாகியும் அவர் கைதி செய்யப்படவில்லை. தமிழ் மணி பிரஸ்ஸை எடுத்துக் கொண்டால் இரண்டு தொழிலாளர்களுக்குச் சம்பளம் கொடுக்க வேண்டுமென்று தீர்ப்பு கொடுக்கப்பட்டது. அந்தத் தீர்ப்பும் அமுல் செய்யப்படவில்லை. பேமெண்டு ஆக்ட் பிரகாரம் அந்த முதலாளிகளை கைதி செய்யாமல் இருப்பதற்குக் காரணம் என்ன?

THE HON. SRI M. BHAKTAVATSALAM: கேட்ட கேள்வி ஒன்று. அங்கத்தினர் போடுகின்ற கேள்வி ஒன்று. முடிவாக அவர் கேட்டிருக்கும் விஷயத்திற்கும் இதற்கும் சம்பந்தமேயில்லை. பாக்கரி சட்டத்தின் கீழ் இவ்விஷயம் கவனிக்கப்படுமென்று கூறினேன். டிரிப்ப்யூனல் உத்திரவை அமுல் நடத்தாவிட்டால் அவ்விஷயத்தை பாக்கரி இன்ஸ்பெக்டர் லேபர் கமிஷனருக்கு அறிவிப்பார். அவ்வளவுதான். இவ்விஷயத்தில் இன்ஸ்பெக்டர் எவ்வித நடவடிக்கையும் எடுக்க முடியாது.

SRI M. PALANIYANDI: கனம் அமைச்சர் சொல்வது வாஸ்தவம். லேபர் கமிஷனர்தான் இவ்விஷயத்தில் தலையிடவேண்டும். ஆனால் காங்கிரஸ் கட்சியைச் சேர்ந்த ஸ்ரீ சாம்பசிவம் அவர்களே சொன்னார்கள். திருச்சி ஜில்லாவில், சேலம் ஜில்லாக்களில் பல பஸ் முதலாளிகள் டிரிப்ப்யூனல் கொடுத்த தீர்ப்பை அமுல் செய்வதேயில்லை. அவர்கள் அவற்றை அமுல் நடத்துவதற்கு வேண்டிய ஏற்பாட்டை பாக்கரி இன்ஸ்பெக்டர்கள் எடுப்பார்களா என்று கேட்கிறேன். மேலும் பலயிடங்களில் சங்கம் இல்லை. சங்கம் இல்லாவிட்டாலும் கூட பாக்கரி ஆபீசர் இது பற்றி கவனிப்பார்களா?

THE HON. SRI M. BHAKTAVATSALAM: சங்கம் இருந்தாலும் இல்லாவிட்டாலும் லேபர் ஆபீசர்கள் இதைப்பற்றி கவனிப்பார்கள். பாக்கரி இன்ஸ்பெக்டர் இதை கவனிக்க வேண்டிய அவசியம் இல்லை.

SRI S. RAMALINGAM: அட்ஜுடிகேஷன் உத்திரவை முதலாளிகள் அமுல் செய்யாவிட்டால் அவ்விஷயத்தையாவது சர்க்காருக்கு தெரிவிக்கவேண்டுமென்று பாக்கரி இன்ஸ்பெக்டர்களுக்கு சர்க்கார் உத்திரவு போடுவார்களா? இதுமாதிரியான உத்திரவு நேரிடையாகப் பிறப்பிக்கப்பட்டிருக்கிறதா என்று கேட்கிறேன்.

THE HON. SRI M. BHAKTAVATSALAM: Instructions have been issued by the Commissioner of Labour to the Labour Officers to report to the Commissioner of Labour whether the awards of tribunals are implemented by the employers.

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SRI K. VINAYAKAM : In cases where an award is not implemented by the management, what is the process within the power of the Government to force the management to implement the award?

THE HON. SRI M. BHAKTAVATSALAM : The particular action that the Government take depends upon the circumstances of each case. Sometimes the Government prosecute also the management for non-implementation of the award.

SRI T. C. NARAYANAN NAMBIAR : May I know how many cases of non-implementation of award have been brought to the notice of the Government and in how many cases action has been taken?

THE HON. SRI M. BHAKTAVATSALAM : I am afraid this question does not arise out of the main question.

Acquisition of private forests

* 2482 Q.—**SRI K. C. GOPALAN UNNI :** Will the Hon. the Minister for Agriculture be pleased to state with reference to the answer to question No. 166 given on 9th December 1954 the present stage of the proposal to acquire the forests owned by the Nilambur kovilagam, Malabar, and other private forests?

THE HON. SRI M. BHAKTAVATSALAM : The matter is still under consideration.

Discharge of workers from a tobacco company

* 2486 Q.—**SRI N. K. PALANISAMY :** Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether any conciliation proceedings were held by the Labour Officer on 16th November 1954 between three discharged workers of Imperial Tobacco Company, Limited, Tiruvottiyur, Madras, and its management; and

(b) why the workers were discharged?

THE HON. SRI M. BHAKTAVATSALAM : (a) Yes, Sir.

(b) The management discharged these workers from their service as they were found guilty of the offence of riotous behaviour and of inciting the other workers to stage a stay-in-strike on 29th and 30th September 1954.

SRI N. K. PALANISAMY : திட்டவட்டமாக எதுவும் குற்றம் சாட்டப்படாமல் தொழிலாளர்களை வேலையிலிருந்து நீக்கக் கூடாது என்று சட்டம் இருக்கிறது. இருந்தாலும் இந்தக் கம்பெனியார் ஸ்ரீ அருள்தாஸ் என்பவரின் மீது எவ்வித "சார்ஜ்ஜையும் வைக்காமல் வேலையிலிருந்து நீக்கி விட்டார்கள். அதேபோடு வேறு நான்கு தொழிலாளர்களையும் வேலையிலிருந்து நீக்கி விட்டார்கள். சர்க்கார் ஒருதலைப் பட்சமாக இவ்விஷயத்தில் நடந்து கொள்வதற்குக் காரணம் என்ன? குறிப்பிட்ட சார்ஜ் எதுவும் இல்லாமல் வேலையைவிட்டு நீக்கியிருக்கும்போது இவ்விஷயத்தை அட்ஜூடிகேஷனுக்கு ரெபர் பண்ண மாட்டோம் என்று சொல்வதற்கு காரணம் என்ன?

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THE HON. SRI M. BHAKTAVATSALAM : இதிலே சர்க்கார் ஒருதலைப் பட்சமாக ஒன்றும் நடந்து கொள்ளவில்லை. அருள்தாஸ் என்பவர் கேட் சார்ஜ்மென்ஸிடம் முரட்டுத்தனமாக நடந்து கொண்டார் என்பதாக அவர் பேரில் சார்ஜ் போட்டு அதற்கு சமாதானம் கேட்டார்கள். அதன் பேரில் விசாரணையும் நடந்தது. அருள்தாஸ் அளித்த சமாதானம் திருப்திகரமாக இல்லையென்பதற்காக வேலையைவிட்டு நீக்கினால் அது ஒழுங்கு நடவடிக்கையின் கீழ்வருகிறது. இவ்விஷயத்தில் சர்க்கார் தலையிடுவதற்கு இல்லை.

Poultry farms.

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a.m.

* 2494 Q.—**SRI P. G. MANICKAM :** Will the Hon. the Minister for Agriculture be pleased to state—

- (a) the number of poultry farms in Coimbatore district; and
- (b) the amount of subsidy given to such poultry farms in Coimbatore district?

THE HON. SRI M. BHAKTAVATSALAM : (a) Nil.

(b) Does not arise.

SRI P. G. MANICKAM : தனிப்பட்ட நபர்களோ, சங்கங்களோ கோழிப் பண்ணைகளை வைத்து நடத்தினால், அவர்களுக்கு கிராண்டு கொடுப்பதற்கு இரண்டாவது ஐந்தாண்டுத் திட்டத்திலே திட்டம் வகுக்கப்பட்டிருக்கிறது. ஆகையால், கிராமங்களிலிருக்கும் கூட்டுறவு சங்கங்கள் மூலம் கோழிப்பண்ணைகளை நடத்தவதற்கு 'ஸப்ஸிடி' கொடுத்து உதவுவதன் மூலம் கிராமத்தில் கோழிப்பண்ணைகளை அரசாங்கம் அபிவிருத்தி செய்வார்களா என்று அறிய விரும்புகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : உருப்படியான கோழிப் பண்ணை இல்லை என்று நான் சொன்னேனே தவிர "பொளல்பிரி டெமாண்ட்ஸ் டிரேஷன் யூனிட்கள்" பொள்ளாச்சி, தாராபுரம், திருப்பூர் போன்ற இன்னும் சில இடங்களில் கோயமுத்தூர் ஜில்லாவில் இருக்கின்றன. அதற்கெல்லாம் சர்க்கார் செலவு செய்துவருகிறது. உருப்படியாக வேறு யாராவது நடத்துவதற்கு முன்வந்து அரசாங்கத்தின் உதவியைக் கோரினால் பரிசீலனை செய்யப்படும்.

SRI S. R. ARUMUGHAM : கோழி முட்டைகளையெல்லாம் குறைந்த விலைக்கு கொடுக்கலாம் என்று திருப்பூரிலுள்ள தேசிய விவ் தரிப்புத் திட்ட நிர்வாக அதிகாரி அவர்கள் சர்க்காருக்குச் சிபாரிசு செய்திருக்கிறார்களா? சிபாரிசு செய்திருந்தால் அந்த சிபாரிசின்மேல் சர்க்கார் என்ன நடவடிக்கை எடுத்திருக்கிறது?

THE HON. SRI M. BHAKTAVATSALAM : அதற்கு ஒரு தனிக் கேள்வி வேண்டும்.

SRI P. G. MANICKAM : லோயர் பவானி சமுதாய நலத் திட்டப் பிரதேசத்தில் கோழிப் பண்ணை ஒன்றும் ஆரம்பிக்கப்படவில்லை. அந்தத் திட்டப் பிரதேசத்தில் இதற்காகச் செலவிட பணம் ஒதுக்கப்பட்டிருப்பதாகத் தெரிகிறது. ஆகவே, அங்கு சில கோழிப் பண்ணைகளை ஆரம்பிக்க சர்க்கார் உத்தரவிடுவார்களா?

THE HON. SRI M. BHAKTAVATSALAM : அது பரிசீலனை செய்யப்பட்டு வருகிறது.

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Novvancheri Producers'-cum-Consumers' Cooperative Society

* 2501 Q.—SRI M. NARAYANA KURUP : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government have received through the Hon. Chief Minister a memorandum, dated 11th May 1955, from Novvancheri Producers'-cum-Consumers' Co-operative Society, Limited, Malabar, claiming a sum of Rs. 28,932-3-0 as loss due to shortages; and

(b) if so, the action taken thereon?

THE HON. SRI M. BHAKTAVATSALAM : (a) Yes, Sir.

(b) The Government examined the claim in consultation with the Board of Revenue (Civil Supplies). The claim of the President of the Society for compensating the entire loss of Rs. 28,932-3-0 alleged to have been sustained by the society could not be complied with in view of the fact that the aggregate shortage made up of a number of small items, which are below 5 maunds each, comes to less than 1 per cent of the total quantity received, which is within the margin for which shortage allowance is given. The Government are, however, considering the question of giving compensation to the society in respect of a shortage of 323-20 maunds of rice noticed in the consignments of rice received from Vijayavada and orders will issue in due course.

* 2502 Q.—SRI K. MADHAVAN NAMBIAR : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government have received any representation from the President, Novvancheri Producers'-cum-Consumers' Co-operative Society, requesting the Government to compensate the loss of Rs. 28,932-3-0, incurred by the society due to the shortages noticed in the rice supplies received by the society during the year 1952-53; and

(b) if so, the action taken thereon?

THE HON. SRI M. BHAKTAVATSALAM : (a) & (b) The attention of the hon. Member is invited to the answer furnished to the starred Madras Legislative Assembly question No. 2501 by Sri M. Narayana Kurup, on the same subject.

SRI M. NARAYANA KURUP : It has been repeatedly brought to the notice of the Government that though these societies have ceased to function for all practical purposes, they could not be taken over by the Co-operative Department inasmuch as the amounts due to the Government from the societies have not been settled and that they are incurring heavy losses on account of the establishment charges. Therefore, will the Government see that this claim is settled very early to avoid future losses?

THE HON. SRI M. BHAKTAVATSALAM : I may tell the hon. Member that the settlement of these claims has been expeditiously done.

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Working of the Indian Trade Unions Act

* 2505 Q.—SRI S. RAMALINGAM (on behalf of Sri M. Kalyanasundaram): Will the Hon. the Minister for Agriculture be pleased to state—

(a) when the report on the working of the Indian Trade Unions Act, 1926, was published for the year 1952–53; and

(b) when the same was circulated to the Members of the Assembly?

THE HON. SRI M. BHAKTAVATSALAM: (a) The report on the working of the Indian Trade Unions Act, 1926, for the year 1952–53 was released for publication on 7th April 1955.

(b) 13th April 1955.

Central Board of Forestry

* 2507 Q.—SRI K. C. GOPALAN UNNI: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether any representative of this Government attended the meeting of the Central Board of Forestry held in Ootacamund in May 1955;

(b) the proposals discussed during the meeting;

(c) whether the Government will be pleased to place a copy of the resolutions adopted at the meeting on the table of the House?

THE HON. SRI M. BHAKTAVATSALAM: (a) The Minister for Agriculture attended the meeting.

(b) & (c) A statement^a showing the subjects discussed and a copy of the resolutions passed at the meeting are placed on the table of the House.

SRI K. C. GOPALAN UNNI: Have the Government implemented any of the decisions of the Conference?

THE HON. SRI M. BHAKTAVATSALAM: I would like to have notice.

SRI T. C. NARAYANAN NAMBIAR: Regarding item No. 10, it has been recommended that forest resource surveys may be conducted by States, in productive forest areas to obtain full data regarding produce of known value as also of produce occurring commonly in the area. Have this Government taken any measures for conducting such a survey? Have steps been taken for the survey of the Koothali Estate belonging to the Government in consonance with this resolution?

THE HON. SRI M. BHAKTAVATSALAM: I would suggest to the hon. Member to put a separate question.

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Industrial Finance Corporation

* 2508 Q.—SRI K. C. GOPALAN UNNI: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether there is any proposal to start an Industrial Finance Corporation in the State; and

(b) if so, the present stage of the proposal?

THE HON. SRI M. BHAKTAVATSALAM: (a) & (b) An Industrial Finance Corporation sponsored by Government is already functioning in this State under the name of the Madras Industrial Investment Corporation, Limited.

Finance Commission

* 2469 Q.—SRI K. C. GOPALAN UNNI: Will the Hon. the Minister for Finance be pleased to state—

(a) whether there is any proposal to appoint a Finance Commission in this State; and

(b) if so, at what stage the proposal is?

THE HON. SRI C. SUBRAMANIAM: (a) The answer is in the negative.

(b) Does not arise.

Kambli Industry

* 2471 Q.—SRI S. R. ARUMUGHAM: Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government have considered the recommendation made by the Deputy Registrar of Co-operative Societies, Coimbatore, to organize on a co-operative basis the kambli industry in Suler firka, Coimbatore district; and

(b) if so, when they propose to give effect to the recommendation?

THE HON. SRI A. B. SHETTY: (a) Yes, Sir.

(b) The Registrar of Co-operative Societies has reported that the Kurumbars in the areas are more sheep breeders than weavers. It is also reported that weaving is done by the women-folk only as a subsidiary occupation and that production of kambli is uneconomic. The Registrar considers it not worthwhile to form a kambli weaving co-operative society at Kalangal village, Suler taluk. The Government have agreed with him.

SRI S. R. ARUMUGHAM: About 500 families in Suler firka are engaged in kambli weaving. Suppose it is not a remunerative work, then why should they depend for their livelihood on kambli weaving?

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THE HON. SRI A. B. SHETTY : Only about sixty to eighty women are engaged in the production of kambli. They work by fits and starts. They have expressed their disinclination to go to a common place and work the looms.

SRI S. R. ARUMUGHAM : Unfortunately, the Deputy Registrar of Co-operative Societies, Coimbatore, did not make a complete survey of the villages. Will the Government examine this question of kambli weaving once again and find a solution to this problem?

THE HON. SRI A. B. SHETTY : The Director of Industries and Commerce has formulated a scheme to provide the workers of the Woollen Weaving Industry with improved looms and accessories allotted from the Cess Fund. His proposals are under consideration.

Civil Court for Wynaad taluk

* 2472 Q.—SRI T. C. NARAYANAN NAMBIAR (on behalf of Sri V. R. Krishna Ayyar) : Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have received any representation from the people of Wynaad in the year 1955 for the establishment of a Civil Court in the taluk; and

(b) if so, whether the Government have taken any action on it.

THE HON. SRI C. SUBRAMANIAM : (a) No, Sir.

(b) Does not arise.

SRI T. C. NARAYANAN NAMBIAR : In view of the fact that due to colonization and large-scale migration from the Travancore-Cochin State, the population of the taluk has increased and that the ownership of the properties has changed consequent on which so many civil disputes have arisen, will the Government see that a civil court is established in the Wynaad taluk to lessen the hardships of the people there?

THE HON. SRI C. SUBRAMANIAM : The opening of a civil court is generally considered on the recommendation of the High Court and the High Court has written to us saying that the matter is under consideration.

Acquisition of Teads Gardens in Sembiam

* 2474 Q.—SRI S. PAKKIRISWAMI PILLAI : Will the Hon. the Minister for Health be pleased to state the reasons for delay in the acquisition proceedings in regard to Teads Gardens in Sembiam Division of Madras City?

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THE HON. SRI A. B. SHETTY : The delay in the acquisition proceedings is due to the fact that, while originally it was proposed to take action under the Land Acquisition Act, 1894, it was later considered desirable to acquire the land under the Madras Slum Improvement (Acquisition of Land) Act, 1954. A notification under section 3 (1) of the latter Act declaring the land as a " slum area " has been published in the *Fort St. George Gazette*, dated the 24th August 1955. The land will be acquired soon, after following the procedure laid down in the Act.

SRI S. PAKKIRISWAMI PILLAI : In view of the fact that there is an urgent necessity for these slum-dwellers for getting a safeguard from the Government against eviction, will the Government see that some amount is allotted from the revenue funds and that this slum area is acquired urgently?

THE HON. SRI A. B. SHETTY : Steps necessary for the purpose are being taken and the cost of acquisition will be borne by the Government in the first instance.

SRI K. VINAYAKAM : Is the Hon. Minister aware of the fact that the proceedings of acquisition through the Collector of Madras or through the department involve unusual delay? Therefore, will the Government empower the Commissioner of the Corporation to negotiate privately with the owners of this land and thus quicken the pace of acquisition in the interests of the slum-dwellers?

THE HON. SRI A. B. SHETTY : The Government, in the first instance, tried to bring about an amicable settlement between the tenants and the owners unofficially, but the owners took steps to evict the tenants through court proceedings.

DEPUTY SPEAKER : Questions Nos. 2475, 2476, 2484, 2488 and 2489 will be taken up on the 28th as the Hon. the Minister for Revenue is away from the headquarters.

Sea erosion

* 2477 Q.—**SRI T. SHANMUGHAM :** Will the Hon. the Minister for Public Works be pleased to state—

(a) whether a serious sea erosion has taken place at Tiruvottiyur, Madras;

(b) if so, what steps the Government have taken to prevent further erosion; and

(c) if so, with what result?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : (a) Yes.

(b) & (c) The execution of protective works in the first reach of 3,500 feet from the Obelisk near Cassimode to the Sewage out-fall in the first instance is under consideration. The execution of

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protective works in the second and third reaches of 4,600 feet from the Sewage outfall to the end of the Corporation limits and 6½ miles from the City limit up to Ennore will be considered in due course.

11-20 a.m. **SRI P. RANGASWAMY REDDIAR :** What will be the total cost of land, cultivable or otherwise, that will be affected as a result of this sea erosion?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : A separate question may be put, Sir.

* 2478 Q.—**SRI M. NARAYANA KURUP :** Will the Hon. the Minister for Public Works be pleased to state whether any steps have been taken so far either by this Government or this Government in conjunction with the Central Government, to prevent sea erosion at Dhanushkodi?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : This Government on the suggestion of the Chief Engineer, requested the Government of India, Ministry of Transport, to depute a specialist to inspect the locality and suggest ways and means of combating erosion of land by the sea.

The Government of India had stated in reply in May 1955 that the question of selecting an alternative site for the railway pier at Dhanushkodi had been referred to an Expert Technical Committee whose report was being awaited and that meanwhile, in order to prevent heavy erosion, they had sanctioned the work of constructing three groynes at an estimated cost of Rs. 13,537 and the work was expected to be completed before the south-west monsoon this year. They also stated that the effect of this remedial measure was to be ascertained before taking further steps in the matter. The Collector of Ramanathapuram has reported under date 17th August 1955 that three casuarina pile groynes extending to 150 feet into the sea and 220 feet along the seashore on the southern side of the Public Works Department buildings at Dhanushkodi were built by the railway authorities as an experiment but these have been washed off.

SRI M. NARAYANA KURUP : Sir, this problem being a continuous one, will the Government take expert advice in the matter and prepare a long-range plan instead of considering temporary measures?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : Yes, Sir. The Central Government have referred the matter to an expert committee and we are awaiting their suggestion in the matter.

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Bus route from Irritty to Koothuparamba

* 2479 Q.—SRI K. MADHAVAN NAMBIAR : Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) whether the Government have received any representations from either the public or individuals to start a new bus route from Irritty to Koothuparamba; and

(b) if so, the action taken thereon?

THE HON. SRI B. PARAMESWARAN : (a) No, Sir.

(b) Does not arise.

Reinstatement of certain dismissed officers

* 2480 Q.—SRI P. RANGASWAMY REDDIAR : Will the Hon. the Minister for Finance be pleased to state—

(a) the amount paid or payable to Sri K. M. Rajagopalan, I.C.S., by the Government towards his salary consequent on the decision of the High Court for the period during which he was not in service; and

(b) whether he and others connected with him, if any, have been reinstated in service after the said decision, and if so, to what offices and under what conditions of service?

THE HON. SRI C. SUBRAMANIAM : (a) No amount has been paid as an appeal is pending in the Supreme Court and the matter is *sub judice*.

(b) No action has been taken as the matter is *sub judice*.

SRI P. RANGASWAMY REDDIAR : Without going into the merits of this case and the facts of this case, do not the Government realize at least now that this is a most helpless and anomalous position to be dictated to by the servants, the Government being the masters? Is it not desirable to change or alter the existing service conditions to enable the Government to purify the administration and improve its efficiency by pruning such undesirable officials once for all? Is it also not desirable to prevail upon the Centre and urge them to suitably change or amend the Constitution so that the service of such servants could be terminated effectively and they may not be able to have further recourse and protract the proceedings?

THE HON. SRI C. SUBRAMANIAM : The hon. Member has made very useful suggestions which do not arise out of this question.

* 2481 Q.—SRI P. RANGASWAMY REDDIAR : Will the Hon. the Minister for Finance be pleased to state—

(a) the amount, if any, paid by the Government to one Sri C. S. Rajagopala Ayvar, Stationary Sub-Magistrate, towards his salary for the period during which he was under orders of dismissal; and

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(b) whether he was reinstated in service, and if so, to what office and under what conditions of service?

THE HON. SRI C. SUBRAMANIAM: (a) & (b) The matter is *sub judice*, and it will not be in the interest of the public to divulge any information at this stage.

SRI P. RANGASWAMY REDDIAR: As far as my knowledge goes, it has been finally decided. Anyway, as the Hon. Minister has said that the matter is *sub judice*, may I know at what stage the matter is pending and before which court?

THE HON. SRI C. SUBRAMANIAM: Sir, there was a decision of a single Judge. We have filed an appeal against that and it is pending.

SRI K. VINAYAKAM: Sir, what earthly purpose does this answer serve on the floor of this House when the matter is said to be *sub judice*? Will it not be better to keep such questions pending and give the answer on the floor of the House after the matter had been finally disposed of?

THE HON. SRI C. SUBRAMANIAM: The question will have to be closed and the hon. Member concerned should also know that the matter is *sub judice*. So, such an answer is quite appropriate.

SRI P. RANGASWAMY REDDIAR: Was the termination made by the Government on the score of corruption on the part of the official?

THE HON. SRI C. SUBRAMANIAM: Yes, Sir. The matter went before the Tribunal and on the recommendation of the Tribunal this official was removed from service.

Dispensary for Mannarghat firka

* 2483 Q.—SRI K. C. GOPALAN UNNI: Will the Hon. the Minister for Health be pleased to state whether there is any proposal to open a dispensary at Kalladicode or Karimba in Mannarghat firka, Malabar?

THE HON. SRI A. B. SHETTY: No, Sir.

SRI K. C. GOPALAN UNNI: Will the Government be prepared to start the dispensary if the people come forward to contribute fifty per cent of the cost?

THE HON. SRI A. B. SHETTY: The people may make that offer to the district board. It is their responsibility.

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Beggar problem

* 2485 Q.—SRI K. VINAYAKAM (on behalf of Sri. A. Ratnam): Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have conducted survey or collected statistics about beggars in the city and in the districts;

(b) the annual cost of maintenance of the beggar home at Melapakkam by the Police department and the value of labour extracted from the inmates;

(c) (i) the number of beggar homes maintained by private bodies, and (ii) the amount of subsidy given to them by the Government;

(d) whether the Corporation of Madras have submitted any proposals to Government to solve the beggar problem; and

(e) how many beggar homes are proposed to be opened during the Second Five-Year Plan period?

THE HON. SRI C. SUBRAMANIAM: (a) The answer is in the negative.

(b) Rupees one lakh and thirty-nine thousand nearly.

(c) (i) One. (ii) Government subsidy equal to one-half the expenses incurred on running the Home or Rs. 15 per mensem in respect of each inmate detained in the Home under the City Police Act, whichever is less. Amount actually disbursed so far, nil, pending audit of the accounts of the institution by the Examiner of Local Fund Accounts.

(d) Yes. The Mayor of Madras has forwarded for the consideration of Government certain proposals for the opening of a Home for the Carè of Destitute Children at Madras.

(e) There is no proposal to include any scheme for the opening of Beggar Homes, in the State (Second Five-Year) Plan.

SRI K. VINAYAKAM: May I know what action this Government have taken on the proposal submitted by the Mayor of Madras?

THE HON. SRI C. SUBRAMANIAM: About what?

SRI K. VINAYAKAM: The Hon. Minister, in his answer, said that the Mayor of Madras has submitted some proposal for the opening of a Home. I want to know whether the Government have taken any action on it?

THE HON. SRI C. SUBRAMANIAM: It is under the consideration of the Government.

SRI T. C. NARAYANAN NAMBIAR: On an earlier occasion, the Calicut Municipality has passed a resolution unanimously that as the beggar problem was very acute in that town, the municipality would like to open a Beggar Home and wanted the permission of the Government for this. Unfortunately, it was rejected

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by the Government. Will the Government be kind enough to reconsider their earlier decision and permit the municipality to start a Beggar Home to solve the beggar problem in that town?

THE HON. SRI C. SUBRAMANIAM : Sir, we wanted to find out how this Geggur Home worked. That is why as an experimental measure, the Beggar Home at Melpakkam was started. In the light of the experience that we may gain here, perhaps we may be able to start such Houses in other municipalities also. In my view, the better course would be to find out the causes which necessitate beggary and remove them.

SRI S. R. ARUMUGHAM : நம்முடைய தேசம் முழுதிலும் இப்பொழுது அபிவிருத்தித் திட்டங்களை ஏற்படுத்தியிருக்கிறோம். அந்தத் திட்டங்களை நிறைவேற்றுவதற்கு ஆட்கள் நிறைய வேண்டியிருக்கிறது. ஆகையால் நகரங்களில் இருக்கக்கூடிய எல்லாப் பிச்சைக்காரர்களையும் நகரங்களிலிருந்து தூரத்தில் இருக்கக்கூடிய குக்கிராமங்களில் குடியேற்றி, அங்கு அவர்களை பலதரப்பட்ட வேலைகளுக்கு உபயோகப்படுத்தினால் இந்தப் பிரச்சனை ஓரளவு தீர்ந்துவிடும் அல்லவா. மேலும் பிச்சைக்காரர்களுக்குப் பிறக்கும் குழந்தைகளும் பிச்சைக்காரர்கள் ஆகிவிடுகிறார்கள். இதனால் பிச்சைக்காரர்கள் தொந்தரவு இன்னும் அதிகமாகிறது. ஆகையால் பிச்சைக்காரர்களிடையே குடும்பக் கட்டுப்பாட்டையும் கொண்டுவருவதற்கு சர்க்கார் யோசனை செய்வார்களா? இந்த இரண்டையும் செய்தால், பிச்சைக்காரர்கள் பிரச்சனை ஓரளவு தீர்ந்துவிடும் அல்லவா?

THE HON. SRI C. SUBRAMANIAM : இந்தப் பிரச்சனை அவ்வளவு சலப்பமானதல்ல. பிச்சைக்காரர்களைக் கொண்டுபோய் இந்த விடுதிகளில் வைத்திருக்கிறோம். அங்கு அவர்களுக்கு சாப்பாடு போடப்படுகிறது. அத்துடன் அவர்கள் வேலை செய்யவேண்டுமென்ற நிர்ப்பந்தமும் இருக்கிறது. ஆகையால் அவர்கள் அங்கிருந்து எவ்வளவு சீக்கிரமாக வெளியே ஓடிவிட முடியுமோ, அவ்வளவு சீக்கிரமாக ஓடிப்போவதற்கு முயற்சி செய்கிறார்கள். பிச்சை எடுத்துப் பழகினவர்களுக்கு வேறு வேலை செய்யமுடியாத பழக்க வழக்கங்கள் இருக்கின்றன. ஆகையால் கனம் அங்கத்தினர் சொன்னதுபோலப் பிச்சை எடுக்கக்கூடிய நிலைமையே ஏற்படாமல் செய்வதுதான் நல்லது. அதற்காகத் தான் அபிவிருத்தித் திட்டங்களை ஏற்படுத்தி நடத்திவருகிறோம்.

11-30 a.m. SRI V. BALAKRISHNAN : Sir, cannot the beggars be castrated? (Laughter.)

THE HON. SRI C. SUBRAMANIAM : This question is with reference to the feeding of human beings. Evidently the hon. Member is thinking of some cattle-farm. (Laughter.)

DR. (SRIMATHI) T. S. SOUNDARAM RAMACHANDRAN : வயதானபிறகு பிச்சைக்காரர்களை ஒழங்குப்படுத்துவது என்பது முடியாது. ஆகவே குழந்தைகளாக இருக்கும்போதே அவர்களை பிச்சை எடுக்காமல் தடுப்பதற்கு குழந்தைகள் பிச்சை எடுக்கக் கூடாது என்ற ஒரு சட்டத்தைக் சட்டபாயமாகக் கொண்டு வருவார்களா? தவிர அவர்களுக்கு என்று ஒரு தனியான விடுதியை அமைத்து அந்தக் குழந்தைகளை அங்கு அனுப்பலாம். இதை இரண்டாவது ஐந்தாண்டு திட்டத்தில் எடுத்துக் கொள்வார்களா?

THE HON. SRI C. SUBRAMANIAM : குழந்தைகள் பிச்சை எடுப்பதையும் குற்றங்கள் செய்வதையும் கட்டுப்படுத்துவதற்குத் தனியாக சட்டம் கொண்டுவர சர்க்கார் ஆலோசித்துக் கொண்டிருக்கிறது.

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SRI M. NARAYANA KURUP : Sir, many of the delegations that have gone out to foreign countries from India have observed no beggary at all in those countries. Will the Government find out how those countries were able to tackle the problem and try to do the same in our State also?

THE HON. SRI C. SUBRAMANIAM : Yes, Sir, in certain cases they are taken out of the view of everybody. That is why beggary is not visible there. If we can do that here it is possible to remove beggary. But we are trying to tackle the problem in a quite different way altogether.

SRI K. VINAYAKAM : In the light of the experience gained by the Corporation of Madras by running the beggar homes in the City of Madras, will the Government consider the desirability of setting apart the amount required by the Mayor of Madras for running such homes at least in the Second Five-Year Plan because it has been proved beyond reasonable doubt that the beggar home maintained by the Madras Corporation is run on very efficient lines?

THE HON. SRI C. SUBRAMANIAM : It is only to tackle the beggar problem in the City that the Melpakkam home has been opened and there are other private institutions also run for this purpose. If other such institutions are necessary the matter will have to be considered. That is why I said, the representations made by the Mayor will have to be scrutinized.

SRI K. T. RAJU : ஸார், இந்தப் பிச்சைக்காரர்களுடைய பிரச்னையைத் தீர்ப்பதற்கு நான் அதிகமாகாது. பிச்சைக்காரர்களில் பெரும் பான்மையானவர்கள் தொத்து நோய் கொண்டவர்களாக இருக்கிறார்கள். உதாரணமாகக் கூடிய ரோகம், குஷ்ட ரோகம், முதலிய கொடிய நோயுள்ளவர்கள் அதிகமாக இருப்பதால் அவர்கள் பொது இடங்களிலும் பொது ஜனங்கள் வசிக்கும் இடங்களிலும் வந்து பிச்சை எடுப்பதால் அந்தத் தொத்து நோய்களை எல்லோரிடத்திலும் அவர்கள் பரப்பி வருகிறார்கள். அந்த வியாதிகள் பரவி வருவதற்கு அதுதான் ஏதாவது இருக்கிறது. அதனால் குறைந்த பட்சம் முக்கியமாக சென்னையிலும் முக்கிய நகரங்களிலும் பெரும் வியாதியஸ்தர்கள் பிச்சைக்காரர்களாக இருந்தால் அவர்களை தனிப்பட்ட இடங்களுக்கு அனுப்பி வைப்பதற்கு சர்க்கார் நடவடிக்கை எடுக்குமா என்பதைக் கேட்க ஆசைப்படுகிறேன்.

THE HON. SRI C. SUBRAMANIAM : பிச்சைக்காரர்களுக்கு மட்டும்தான் இந்த தொத்து வியாதிகள் இருக்கிறது என்பது அல்ல. குஷ்ட ரோகமும் கூடிய ரோகமும் பொது ஜனங்களிடத்திலும் தான் இருக்கின்றன. எல்லா துறையிலும் தான் அப்படிப்பட்ட வியாதியஸ்தர்கள் இருக்கிறார்கள். இப்படி வியாதியைமட்டும் எடுத்துக் கொண்டு பிச்சைக் காரர்களுடைய பிரச்னையை தீர்ப்பது என்றால் அதைத் தீர்க்க முடியாது. அப்படித் தீர்க்க வேண்டும் என்று நினைத்தால் அது பொருளாதார அடிப்படையில் ஏழைகளுக்கு ஒரு விதமாகவும், பணக்காரர்களுக்கு ஒரு விதமாகவும் நடவடிக்கை எடுப்பதாக ஆகும். அப்படி கனம் அங்கத்தினருடைய அபிப்பிராயம், இல்லை என்று நினைக்கிறேன்.

SRI V. MUTHU : கனம் மந்திரி அவர்களுடைய பதிலிலிருந்து பிச்சைக்கார பிரச்னை பெரிதாக இருக்கிறது என்றும் நாட்டில் பிச்சைக்கார தொந்தரவு அதிகரித்துக்கொண்டே வருகிறது என்றும் தோன்றுகிறது. இரண்டாவது ஐந்தாண்டு திட்டத்தில் இதையும் ஒரு பிரச்னையாக எடுத்துக் கொண்டு அதற்குத் தக்க ஏற்பாடு செய்ய முடியுமா? பண வசதி

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வேண்டும் என்றால் இப்பொழுது இரண்டாவது ஐந்தாண்டு திட்டத்தில் பல தொழிற்சாலைகளை அமைக்கப் போகிறார்கள். அப்படி அமைக்கும்போது பிச்சைக்காரர்களுடைய தொழிற்சாலை என்று ஒன்றை அமைத்து அந்தப் பிரச்சினையை சரிக்கட்ட முடியுமா என்று கேட்கிறேன்.

THE HON. SRI C. SUBRAMANIAM : பிச்சைக்கார பிரச்சனை அதிகமாகிக் கொண்டு வருகிறது என்று நான் சொல்வதற்குத் தயாராக இல்லை. அபிவிருத்தி திட்டங்களினால் ஓரளவு அந்தப் பிரச்சனை குறைந்திருக்கிறது என்று சொல்லலாம். இருந்தாலும் அது ஒரு பெரிய பிரச்சனையாக இருக்கிறது. மக்களுடைய பொருளாதார நிலைமையை எவ்வளவு தூரம் அதிகரிக்கிறோமோ அவ்வளவு தூரம் இந்தப் பிரச்சினையையும் தீர்க்கலாம். அதனால்தான் அபிவிருத்தி திட்டங்களை அடிப்படையாகக் கொண்டு முதல் ஐந்தாண்டு திட்டத்தில் சில திட்டங்கள் வகுக்கப்பட்டன. வரப்போகும் இரண்டாவது ஐந்தாண்டு திட்டத்திலும் சில திட்டங்கள் வகுக்கப்பட்டு வருகின்றன.

SRI V. GOPALA GOUNDER : This beggar problem is increasing day by day because there is no check on them. Even people who can work and earn a better living take to this profession of begging because they find that it is an easy way of earning their livelihood. Will the Government therefore consider the desirability of bringing into force the Vagrants Act that is enforced in other countries and see that this nuisance is put an end to?

THE HON. SRI C. SUBRAMANIAM : My impression is that after the opening of the 'Home' at Melpakkam and two other institutions within the City the beggar problem has considerably decreased. It has not in anyway increased. Certainly we are trying to tackle the problem as best as possible.

SRI M. NARAYANA KURUP : The Hon. Minister said that this Government do not want to imitate the methods adopted by other countries which have solved this problem by removing the beggars outside the view of the people. Is the Hon. Minister aware of the fact that there have been occasions when in honour of the Ministers visiting particular places, these poor people were taken out in lorries and left at distant places?

THE HON. SRI C. SUBRAMANIAM : This is information for me which has been supplied by the hon. Members. I do not think that in any case the beggars were removed on account of the Minister's visits.

SRI B. K. NALLASWAMI : As most of the beggars clothe themselves in "Sanyasi" robes and cheat the public will the Government come forward to certify real 'Sanyasis' so that people may distinguish them from real beggars? (Laughter.)

THE HON. SRI C. SUBRAMANIAM : I would request the hon. Member to submit a scheme so that it may be possible to distinguish the genuine "Sanyasis" from the bogus 'Sanyasis'. If such a scheme is submitted I shall have it examined and for this purpose appoint a board with the hon. Member as the Chairman. (Laughter.)

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SRI V. BALAKRISHNAN : Is it a fact, Sir, that women lure away young men to beggary on the promise of a easy romantic life? (Laughter.)

THE HON. SRI C. SUBRAMANIAM : On this question the hon. Member will have better information than the Government. (Laughter.)

Visit of Sri Datar to slums in the City

* 2487 Q.—SRI A. RATNAM : Will the Hon. the Minister for Health be pleased to state how many slums in the City were visited by the Union Deputy Minister, Mr. Datar, on 24th May 1955?

THE HON. SRI A. B. SHETTY : Five, Sir.

Improvements to Buckingham Canal and Cooum River

* 2490 Q.—SRI A. RATNAM : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government recommended the inclusion of any scheme for the improvement of Buckingham Canal and Cooum River in the Second Five-Year Plan; and

(b) if so, the estimated cost thereof ?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : (a) Yes, Sir.

(b) Rs. 45 lakhs.

* 2491 Q.—SRI N. K. PALANISWAMY : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether there is any proposal to connect the Buckingham Canal with the Madras Harbour from some point on the Cooum River under the Second Five-Year Plan; and

(b) the cost of the Scheme?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : (a) Yes, Sir.

(b) Roughly the scheme is estimated to cost about Rs. 25 lakhs.

SRI N. K. PALANISWAMY : இதற்கு மத்திய சர்க்காரிடமிருந்து ஏதாவது உதவி கிடைக்குமா ? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : I have received information just now. The working group of the Planning Commission recently considered the schemes in relation to waterways to be included in the Second Five-Year Plan.

SRI S. DAIVASIGAMONEY : Does not Hon. Minister know that the Cooum River is emitting very foul smell near the Fort point?

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THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI: I acknowledge the information given by the hon. Member.

SRI K. VINAYAKAM: May I know in what way the Government propose to improve this Cooum River and the Buckingham Canal? What are the defects noticed by the Government and what are the methods proposed by Government to rectify the defects?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI: Sir, it is a wide question. I must have technical opinion before I can answer the question of the hon. Member.

Compensation for loss of tolls

* 2492 Q.—SRI K. C. GOPALAN UNNI: Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) the total amount due to Malabar District Board from the Government by way of compensation for loss of tolls in the year 1954-55;

(b) whether any representation has been received from the Board regarding the adequacy or otherwise of the above; and

(c) if so, the action taken by the Government thereon?

THE HON. SRI B. PARAMESWARAN: (a) Rs. 2,08,000.

(b) Representation was received from the Malabar District Board about enhancing the licence fee compensation payable to it but not about toll compensation.

(c) As the proposal of the Government of India to lay down a uniform taxation policy in regard to motor vehicles throughout India is likely to affect the motor vehicles taxation structure in this State, this Government are awaiting the decision of the Government of India in the matter; so the question of enhancing the toll and licence fee compensations payable to local bodies has been deferred.

SRI P. K. GOPALAKRISHNAN: Sir, this question relates to payment of compensation for loss of toll in the year 1954-55. The Government have already collected tolls for the year 1954-55. Therefore the Government can very well pay the compensation to the district board. The question is, will the Government pay the compensation for the year concerned. That is not at all affected by the future taxation policy which may be adopted by the Government. Will the Government reconsider their decision in the matter, Sir?

THE HON. SRI B. PARAMESWARAN: We have to examine what amount we have to pay in proportion to the number of vehicles running in the district. This matter is being examined as it really needs some examination.

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Nileshwar Shakha Samithi

* 2493 Q.—SRI M. NARAYANAN NAMBIAR: Will the Hon. the Minister for Finance be pleased to state— 11-46
a.m.

(a) whether the Government have received a representation through the Chief Minister on 1st May 1955 from the President of the Nileshwar Shakha Samithi of the Kerala Hindi Prachar Sabha, appealing for financial help; and

(b) if so, the action taken thereon?

THE HON. SRI C. SUBRAMANIAM: (a) & (b) The institution conducted by the Samithi has not been recognized by the Education Department and as such it is not eligible for any aid from State Funds. The President of the Samithi has been informed accordingly.

SRI M. NARAYANAN NAMBIAR: May I know why the institution has not been recognized by the Government?

THE HON. SRI C. SUBRAMANIAM: Because it does not satisfy the rules under which recognition is granted.

SRI M. NARAYANAN NAMBIAR: This institution has been functioning for the last ten years doing a lot of service and propagating Hindi. It has got recognition from the Hindi Prachar Sabha to conduct a Visharada Vidyala. Under these circumstances, will the Government come forward to recognise the institution?

THE HON. SRI C. SUBRAMANIAM: We will have to consider what method should be adopted for the propagation of the study of Hindi and in that respect perhaps the suggestion of the hon. Member may be considered.

SRI M. NARAYANA KURUP: Though this Government may not give any grant and recognize the institution, the Central Government are granting funds even to non-official organizations for propagating Hindi. Though this Government may not be very enthusiastic about the study of Hindi will they at least use their good offices to get the aid of the Central Government for such organizations?

THE HON. SRI C. SUBRAMANIAM: Apart from the fact whether we are enthusiastic about Hindi or not, if the Samithi makes an application through this Government for aid from the Central Government, certainly it will be recommended for consideration.

SRI M. NARAYANAN NAMBIAR: Is it not a fact that this Government have given a building grant of Rs. 3,000 to this institution? Why have they given it when they are not recognizing the institution?

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THE HON. SRI C. SUBRAMANIAM : I am not aware of the building grant given to it. Perhaps it comes under certain other rules but the institution as an Hindi-teaching institution has not been recognized by the Education Department.

Rural Banks

* 2495 Q.—**SRI M. NARAYANA KURUP :** Will the Hon. the Minister for Health be pleased to state how many rural banks have so far been sanctioned and started in the State and in which places?

THE HON. SRI A. B. SHETTY : Twenty-five rural co-operative banks have been sanctioned for organization at select centres in the State. Fifteen such banks have been started as on 9th July 1955. A statement^a showing the places where they have been started is placed on the table of the House.

SRI M. NARAYANA KURUP : May I know whether any of the banks mentioned in the answer have actually started working and if so at what rate they are lending money to the rural folks?

THE HON. SRI A. B. SHETTY : Out of the 23 banks for which registration has been permitted, 18 banks have been registered and 5 are pending registration. Out of the 18 banks registered so far, 15 have started work as on 9th July 1955. The information, which the hon. Member wants, is not available with me just at present.

DR. K. B. MENON : Are the Government aware that a number of P.C.C. Societies which have huge reserves have applied for conversion to rural banks and that the departmental permission has not been granted. If it is expedited, their overhead charges could be saved and a better service could be rendered with the amount available. So, will the Government expedite the whole matter?

THE HON. SRI A. B. SHETTY : Proposals for converting some of the P.C.C. Societies in Malabar into ... Rural Co-operative Banks have been received and they are under consideration.

SRI M. NARAYANA KURUP : The Hon. Minister has stated that some are functioning but the crucial information as to the rate at which loans are advanced is lacking. People are not concerned with the type of organization but with the rate of interest. It has been stated that the Reserve Bank has granted so many crores of rupees to be disbursed to the rural folk at 1½ per cent interest. But, in fact, these banks are collecting 7½ per cent interest. Will the Hon. Minister see that the purpose of the bank is served by reducing the rate of interest so that the people may get real help? He may at least furnish the requisite information in writing.

THE HON. SRI A. B. SHETTY : Whatever information the hon. Member wants can be supplied to him.

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SRI S. PANCHAKSHARAM : A small number of banks that have been started are not perhaps quite adequate for the requirements of the rural folk. Is it tried as an experimental measure now or does it form part of the extensive operations that are contemplated by the Government in the co-operative field?

THE HON. SRI A. B. SHETTY : There are proposals in the Second Five-Year Plan to give medium-term loans on a larger scale and I trust that more such banks will be opened.

SRI C. KANDASAMY : Sir, in the statement laid on the table of the House, the Ramanathapuram district has been completely left out in spite of the fact that in a particular village, Watrap, in the Ramanathapuram district, according to the instructions of the Deputy Registrar, shares have already been collected and applications have been made. Why is it being delayed and will the Hon. Minister see that the bank is started there soon?

THE HON. SRI A. B. SHETTY : Yes, Sir, all steps are being taken to expedite the starting of the bank as early as possible.

SRI S. SWAYAMPRAKASAM : Co-operative banks get money from the Reserve Bank at $1\frac{1}{2}$ per cent interest but when it reaches the borrower in the village, $6\frac{1}{2}$ per cent is being charged. The State Co-operative Bank charges some amount and the District Central Bank also charges certain amount, with the result that for the mere transfer of the money, $6\frac{1}{2}$ per cent interest is charged. Even a private money-lender charges only 5 per cent or so in the case of a private individual. So, under these circumstances, will the Government consider the whole matter and try to induce either the State or the District Co-operative Bank not to charge any interest for the amount which is being advanced to the villagers.

THE HON. SRI A. B. SHETTY : The information sought for by the hon. Member is not relevant to the main question, viz. :

“ How many Rural Banks have so far been sanctioned and started in the State and in which places? ”

SRI M. KALYANASUNDARAM : May I know from the Hon. Minister, why no bank has been registered in the district of Ramanathapuram and also whether it is a fact that the villagers of Watrap have offered to organize a bank and that the Registrar is refusing to register it?

THE HON. SRI A. B. SHETTY : I shall look into the matter.

SRI P. RANGASWAMY REDDIAR : Of these, 15 Rural Co-operative Banks, may I know whether any of them have already begun to function, and if so, how many, and whether it is a fact that the Government have loaned the services of co-operative officers to these banks and if so, how many?

THE HON. SRI A. B. SHETTY : The Government are lending the services of experienced Senior Inspectors to each of these banks. I have already answered the first part of the question, that 15 banks have started work up to 9th July 1955.

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SRI S. PANCHAKSHARAM : The Hon. Minister has stated that only 15 banks have been started. But to my knowledge, there are at least two banks which have been started in the district of North Arcot, one at Tiruvannamalai and another at Arcot. May I know why these two banks have not been included in the statement laid on the table of the House?

THE HON. SRI A. B. SHETTY : The date of the answer furnished is 5th August 1955. It may be that after that date, some more banks might have been started.

SRI T. C. NARAYANAN NAMBIAR : The Hon. Minister has stated that 15 Rural Co-operative Banks have started work out of the 23 banks permitted to be registered. But I understand from very reliable sources that opening of two banks, one in the south and another in the north of Malabar, has been sanctioned but no steps have so far been taken to start them. May I know why there has been so much delay in the matter and will the Government take immediate action to see that these two banks are started in Malabar?

11-50 a.m. THE HON. SRI A. B. SHETTY : The Deputy Registrar, Malabar South, has organized a rural bank at Mannur and he has promised to submit his proposals for the registration of the bank after consulting the Malabar Co-operative Bank, Limited, Kozhikode. As regards North Malabar, the Deputy Registrar has reported that apart from conversion of Producers-cum-Consumers' Co-operative Societies into rural co-operative banks, there is no possibility of organizing an independent rural co-operative bank.

Siruvani River Reservoir Scheme

* 2496 Q.—**SRI P. S. RANGASWAMI NAIDU :** Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have received any representations from the public of Palladam taluk, Coimbatore district, to divert the waters of the Siruvani river into the Noyyal river for agricultural purposes;

(b) whether the District Planning Board has recommended the scheme; and

(c) if so, the action taken thereon?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : (a) & (b) Yes.

(c) The matter is under consideration.

* 2497 Q.—**SRI N. K. PALANISAMY :** Will the Hon. the Minister for Public Works be pleased to state whether Siruvani Reservoir has been surveyed by the Engineers during 1955 with a view to let in more water from the rivers that go beyond Western Ghats?

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THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : No, Sir.

SRI N. K. PALANISAMY : கனம் மந்திரி அவர்கள் முன்பு ஒரு தடவை பதில் சொல்லும்போது, “இது விஷயம் பரிசீலனையில் இருக்கிறது. அதற்கு நிபுணர்கள் அனுப்பப்பட்டிருக்கிறார்கள்” என்று சொன்னார்கள். ஆனால், இப்பொழுது இல்லையென்று சொல்லுகிறார்கள். இனிமேலாவது அதைப் பரிசீலனை செய்வதற்கு சர்க்கார் முன்வருவார்களா?

THE HON. SRI R. SHANMUGHA RAJESWARA SETHUPATHI : Until we get the information from the Chief Engineer after investigation, nothing could be done.

Liquor permits

* 2498 Q.—SRI M. KALYANASUNDARAM : Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) how many officers working in the Government Secretariat have been given permits for liquor;

(b) the grounds on which the permits have been issued to them; and

(c) whether any condition is attached to the grant of such permits to the effect that such officers should not be drunk during office hours?

THE HON. SRI B. PARAMESWARAN : (a) Two officers.

(b) On medical grounds.

(c) No, Sir.

SRI M. KALYANASUNDARAM : அந்த இரண்டு அதிகாரிகள் யார் யார்? அவர்கள் வேலை நேரத்தில்கூட காரியாலயத்திற்கு வரும்போது குடித்துவிட்டு வரலாமா என்று அறிய விரும்புகிறேன். ஸ்ரீ டி. எம். எஸ். மணி என்ற ஒரு அதிகாரிக்கு பர்மிட் கொடுத்திருக்கிறார்களா? அவர் ட்யூடி நேரத்தில் குடித்துவிட்டு இருப்பது வாஸ்தவமா?

THE HON. SRI B. PARAMESWARAN : அதிகாரிகளின் பெயர் இங்கு இல்லை. தனிக் கேள்வி கேட்டால் சொல்கிறேன். யாரும் குடித்து விட்டு வேலை செய்வது கிடையாது.

SRI K. KAMARAJ : தனிக் கேள்வி எதற்கு? அதிகாரிகள் அப்படி ஒருவரும் குடித்துவிட்டு வருவது இல்லை.

SRI T. C. NARAYANAN NAMBIAR : The Hon. the Chief Minister has made some statement. It was not audible. As it is a very important statement, I hope . . .

THE HON. SRI C. SUBRAMANIAM : The point is this. The Hon. Deputy Leader of the Opposition made an insinuation in his question that some official was attending office drunk. That is quite impossible because nobody can attend office in a drunken state. I wish he is able to make the statement outside the floor of the Assembly so that the officer concerned can take appropriate action. But the Deputy Leader of the Opposition cannot take advantage of the privilege he enjoys on the floor of the Assembly and make insinuation against individual officials.

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SRI S. DAIVASIGAMONEY : Sir, liquor permits are granted on grounds of health. But permits are not given to poor people who are really deserving such permits. Permits are now granted only to persons belonging to higher income groups. Would the Government, therefore, consider the question of giving permits to lower income groups in really deserving cases or if necessary would the Government abolish once for all the condition of granting permits based on income so that all people, both rich and poor, are placed on the same level in the matter of getting permits?

THE HON. SRI B. PARAMESWARAN : There is a danger of lower income groups spending on liquor more than they should or to sell their supplies in the black-market. That is why no permit is granted to those with a monthly income of Rs. 500 and less except in special circumstances.

SRI M. KALYANASUNDARAM : The Hon. Minister was kind enough to defend the officials. May I know the reason why the Government have not made it a condition that the officers who have liquor permits should not use liquor while attending office?

THE HON. SRI C. SUBRAMANIAM : No rule is necessary. No officer is expected to come to office in a drunken state and if such a thing has happened we are prepared to take action. But there is no use in making such statements on the floor of the House unless the hon. Member is prepared to prove them.

SRI S. PANCHAKSHARAM : I should like to know whether drinking by the permit-holders, whether in office or outside office, is prohibited? I thought drunkenness was prohibited but not drinking.

* 2499 Q.—**SRI M. KALYANASUNDARAM :** Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) the number of officers of the Southern Railway in the Golden Rock Workshops, Tiruchirappalli, who have been given permits for liquor; and

(b) whether the permits have been renewed for the current year?

THE HON. SRI B. PARAMESWARAN : (a) & (b) None of the officers referred to in the question has been granted a liquor permit.

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Law officers

* 2500 Q.—SRI M. NARAYANAN NAMBIAR (on behalf of Sri V. R. Krishna Ayyar) : Will the Hon. the Minister for Finance be pleased to state—

(a) the number of State Law Officers in the High Court that have been punished for contempt of court; and

(b) the action taken by Government on such officers?

THE HON. SRI C. SUBRAMANIAM : (a) One, but the matter has been taken up on appeal to the Supreme Court.

(b) No action has been taken by the Government as the matter is *sub judice*.

Bell-Metal Workers' Co-operative Society, Quilandy

* 2503 Q.—SRI V. R. KRISHNA AYYAR : Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government have received this year through the Collector of Malabar and otherwise any requests for financial aid from the Quilandy Bell-Metal Workers' Co-operative Society; and

(b) if so, the action taken thereon?

THE HON. SRI A. B. SHETTY : (a) Sir, it is presumed that the hon. Member is referring to the Quilandy Artisan's Co-operative Society from which requests for financial aid have been received.

(b) The matter is under consideration.

SRI T. C. NARAYANAN NAMBIAR : In view of the fact that bell-metal workers at Quilandy have to suspend some activities for want of finance, will the Government expedite taking a decision in the matter of giving financial help and see that some financial help is given to the Bell-Metal Workers' Co-operative Society so that workers may not be thrown out of employment?

THE HON. SRI A. B. SHETTY : There is no information that the bell-metal workers have asked for financial help.

SRI M. NARAYANAN NAMBIAR : May I know whether the Government will come forward to organize a workshop in Quilandy for skilled workers who are in large numbers in that locality?

THE HON. SRI A. B. SHETTY : When an application comes, it will be considered.

Legislation in regard to Public Services

* 2504 Q.—SRI M. NARAYANA KURUP : Will the Hon. the Minister for Finance be pleased to state whether there is any proposal to bring in legislation under Article 309 of the Constitution of India to regulate the recruitment and conditions of services of persons appointed to the Public Services of the State, and if so, when?

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THE HON. SRI C. SUBRAMANIAM : There is no such proposal under consideration.

SRI M. NARAYANA KURUP : Of late, the relationship between the Public Service Commission and the Government has been the subject of some comment both here and outside. In view of the fact that the Constitution confers on the Government the power to legislate with the approval of the House, may I know why the Government still want to stick to the old method of regulation and not take the legislature into confidence and frame a proper legislation?

THE HON. SRI C. SUBRAMANIAM : The matter is under correspondence with the Government of India and we are awaiting their decision in the matter. If they frame rules or bring in legislation we want to follow that. The Central Government have not taken any decision. As a matter of fact this matter was discussed in the Business Advisory Committee. We have arrived at certain tentative conclusions. Whatever is decided by the Centre will be made applicable to our State Services also.

Margathiviparavanna Road

* 2506 Q.—**SRI E. T. KUNHAN :** Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government have received any representation, dated 30th July 1953, from Sri E. T. Kunhan, M.L.A., regarding the relaying of Margathiviparavanna Road in Ponnani taluk; and

(b) if so, the action taken thereon?

THE HON. SRI S. S. RAMASAMY PADAYACHI : (a) No, Sir.

(b) Does not arise.

SRI E. T. KUNHAN : സർ, റോഡിന്റെ പേര് മാങ്ങാട്ടിപ്പറവണ്ണ എന്ന് തിരുത്തി വായിക്കേണ്ടതാണ്.

SRI T. C. NARAYANAN NAMBIAR : In view of the importance of the road, may I know whether the Government will see that it is constructed immediately so that it will be of use to the agriculturists in that area?

THE HON. SRI S. S. RAMASAMY PADAYACHI : If the proposals come through the District Board, the Government will certainly consider giving financial assistance.

SRI E. T. KUNHAN : സർ, ഗവണ്മെന്റിനുകയച്ച മെമ്മോറാണ്ടം ചീഫ് ഇഞ്ചിനീയർക്ക് അയച്ചിട്ടുണ്ടെന്നു കാണിച്ച് 1953 ആഗസ്റ്റ് 3-ാം തീയതി ഗവണ്മെന്റിനറിനു മറുപടി കിട്ടിയിട്ടുണ്ട്. അങ്ങിനെയിരിക്കുമ്പോൾ മെമ്മോറാണ്ടമേ കിട്ടിയിട്ടില്ല എന്ന് ബഹുമാനപ്പെട്ട മന്ത്രി ഇപ്പോൾ പറയാൻ കാരണമെന്താണെന്നറിഞ്ഞാൽ കൊള്ളാം.

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SRI P. K. GOPALAKRISHNAN: This is what the hon. Member means: The hon. Member has received a reply from the Government, dated 3rd August 1955, that the memorandum had been forwarded to the Chief Engineer for remarks. And now the Hon. Minister had replied that the Government had not received any memorandum at all. The hon. Member wishes to know why a wrong answer has been given.

THE HON. SRI S. S. RAMASAMY PADAYACHI: There is a lot of difference between the name of the road given by the Member and the name of the road given in the question. That is why there is this confusion.

[Note.—An asterisk(*) at the commencement of a speech indicates revision by the Member.]

EXPUNGING OF A STATEMENT.

* **SRI S. PANCHAKSHARAM**: A few moments ago a statement was made about a high-placed Government official which is not liked by many Members of this House. It is a statement which is fit to be expunged from the official report of the proceedings of this House. I wish the Hon. Leader of the House takes up the matter and moves for expunging the statement from the official report and for banning its publication in the Press.

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noon

DEPUTY SPEAKER: The hon. Member can give notice of a motion for expunction of the statement.

THE HON. SRI C. SUBRAMANIAM: If the statement is really objectionable and if the Press wants to publish it, I am sure it will publish it on its own responsibility and at its own risk.

* **SRI P. RAGASWAMY REDDIAR**: I rise on a point of order, Sir. There is no insinuation in the statement. If the officer has been given a permit on the basis of a medical certificate, he is entitled to consume liquor to make him fit for the day's work. The hon. Member who made that statement is entitled to make it and I do not know how it offends the privilege of the House.

II.—ADJOURNMENT MOTION *RE* THE CONDUCT OF THE SUB-INSPECTOR OF POLICE, VALAPAD.

DEPUTY SPEAKER: The hon. Member Sri P. K. Gopalakrishnan has given notice of the following adjournment motion and a statement under rules 42 and 44 of the Assembly Rules:

“This House stands adjourned to discuss an urgent matter of public importance, viz., the rule of terror let loose by Mr. Mohandos, Sub-Inspector of Police, Valapad, within the jurisdiction of his police station from 15th September 1955 onwards.”

I wish to bring to the notice of the House that the hon. Member put a short notice question on this subject and it was answered on 24th August 1955. Then he gave notice of a resolution which

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was disallowed by me. Now he has given notice of this adjournment motion. I wish to know from him how this is a definite matter of urgent public importance.

SRI P. K. GOPALAKRISHNAN: I want to make it clear that the short notice question related to certain other atrocities committed by the same Sub-Inspector and not to the subject-matter of this adjournment motion.

From 15th September onwards this Sub-Inspector Mr. Mohandoss has let loose a rule of terror within the Valapad police station limits. A meeting of the citizens was held on 15th September to consider the activities of the Sub-Inspector. At that meeting it was decided to send to Madras a deputation under the leadership of Sri V. S. Keraleeyan to submit a memorandum and to represent the matter to the Government and the legislators. From that day onwards the Sub-Inspector has been hunting after those who are collecting signatures to the memorandum. On 20th September, he caught hold of two such signature-collectors Sri V. P. Ramakrishnan and Sri P. K. Surendran of Engandiyur village, took them to the police station, beat them severely and finally foisted a prohibition case against them. Now he is hunting after the signatories to the memorandum. He has been carrying on a rule of terror for the last two years and he has intensified it from 15th September onwards. Since a Government official is doing all these things, it is the responsibility of the Government to take proper steps in the matter. I need not refer to all his acts, since they had been represented on the floor of this House on so many occasions by me, Sri E. T. Kunhan, Sri O. Koran and other members. A representation to the District Superintendent of Police in person was made by Sri Vasu Menon, President, Kerala Pradesh Congress Committee. Despite all these representations, the Sub-Inspector has not even been transferred and he is allowed to carry on the rule of terror uninterruptedly. His acts have created a very serious situation in the area and this is a definite matter of urgent public importance. That is why I want to move the adjournment motion.

SRI M. KALYANASUNDARAM: I want to make one submission. Complaints against this officer have come up before this House several times. I understand that even now people are agitated and representations have been made to the Government by members of different parties and not by the members of a particular political party only. So this matter should be viewed dispassionately. May I appeal to the Hon. Leader of the House to investigate the matter and take suitable action?

May I request that a half-hour debate be allowed for discussing this matter?

THE HON. SRI C. SUBRAMANIAM: Already there was a complaint against this Sub-Inspector and the matter is under enquiry. If he has further misbehaved, certainly I shall have

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it enquired into. But a discussion here will only prejudice the enquiry which is being made. Therefore I request the hon. Member not to move the adjournment motion. Certainly the matter will be looked into.

SRI P. K. GOPALAKRISHNAN: I do not want that the enquiry should be prejudiced. I want that the enquiry may be made after transferring the Sub-Inspector from that place. I do not move the adjournment motion.

THE HON. SRI C. SUBRAMANIAM: I do not want to give any assurance, but proper action will be taken.

IV.—STATEMENT UNDER RULE 40 *RE* REGISTRATION OF VOTERS
FOR THE ENSUING MUNICIPAL ELECTIONS.

SRI M. KALYANASUNDARAM: நகர சபைகளுக்குத் தேர்தல்கள் வரவிருக்கின்றன. சென்னை நகரம் சம்பந்தப்பட்ட வரையில் தேர்தல் முடிந்தவிட்டது. மற்ற முனிசிபாலிட்டிகளுக்குக் கெல்லாம், தேர்தல்கள் ஒரு பகுதிக்கு அக்டோபர் 10-ம் தேதியிலும், இன்னொரு பகுதிக்கு அக்டோபர் 26-ம் தேதியிலும், நடைபெறவிருக்கின்றன. ஆனால் வோட்டர்கள் ஜாபிதா தயாராவதில் பெரும் குழப்பம் இருந்துவருகிறது. அதைத் தெளிவாக்க வேண்டுமென்பதைத்தான் சர்க்கார் கவனத்திற்குக் கொண்டு வர விரும்புகிறேன். வோட்டர்கள் ஜாபிதா தயார் செய்யக்கூடிய அதிகாரிகள் தேர்தல் தினத்திற்கு மூன்று நாள் முன்புவரையில் கூட வோட்டர்கள் ஜாபிதா வெளியிட முடியும். இந்த வோட்டர்கள் எல்லாம் இந்தத் தேர்தலில் கவனத்தொன்று முடியும் என்று நம்பிக்கையை உண்டாக்கி வோட்டர்களைப் பதிவு செய்துகொண்டு வருகிறார்கள். இந்த நிலைமையில் பணம் படைத்த அபேகஸ்கர்கள் தங்கள் கையிலிருந்து பணம் கொடுத்து, பண்ணையாட்கள் போன்ற தங்கள் சொந்த ஆட்களை கொண்டுவந்து வைத்து, சட்ட விரோதமாக வோட்டர்களைப் பதிவு செய்து, தங்கள் தங்கள் தொகுதிகளில் வாக்காளர்களைப் பெருக்குவதற்கு முயற்சி செய்துவருகிறார்கள். அதிகாரிகளும் இந்த மாதிரியான காரியங்களில் உடந்தையாக இருப்பதாக தெரியவருகிறது. நான் சட்டப்படி பார்த்தபோது இதற்கு இடம் இருப்பதாகத் தெரியவில்லை. 1954-ம் வருஷம் அக்டோபர் மாதம் 1-ம் தேதி வெளியிடப்பட்ட ஜாபிதாதான் இந்த வருஷம் செப்டம்பர் 30-ம் தேதி வரையில் அமுலில் இருக்க வேண்டியதாகும். அந்த அடிப்படையில்தான் முனிசிபல் தேர்தல்கள் நடைபெறவேண்டும். செப்டம்பர் 30-ம் தேதிக்கு முன்னதாகவே தேர்தல்கள் நடைபெறவேண்டும் என்று அறிவிக்கப்பட்டிருக்கிறது. இந்தத் தேர்தல் அந்த ஜாபிதாவின் அஸ்திவாரத்தில் தான் இருக்கவேண்டும். புதிய ஜாபிதா வெளியிடுவதாக இருந்தால் எலெக்ஷன் ஆப்ஸரால்தான் வெளியிட முடியும். அவருக்குத்தான் இந்த முனிசிபல் வோட்டர்கள் ஜாபிதாவை அங்கீகரிப்பதற்கு அதிகாரம் உண்டு. இப்போது முனிசிபல் தேர்தலுக்கு வோட்டர்கள் ஜாபிதா செப்டம்பர் 30-ம் தேதி வரையில் அமுலில் இருக்கக்கூடிய பழைய வில்லிடின்படி தான் இருக்கவேண்டும். People's Representation Act, 1950, section 24-லும் சரி, District Municipalities Act, section 44 (2)-லும் சரி, இந்த விஷயம் தெளிவாக இருக்கிறது. ஆகையால் புதிதாக, முனிசிபல் வோட்டர்கள் ஜாபிதாவிற்கு, இப்போது மாறுதல் செய்வதற்கு முனிசிபல் ரெஜிஸ்ட்ரேஷன் அதிகாரிகளுக்கு அதிகாரம் கிடையாது. தேர்தல் நடைபெற வேண்டியது ஏற்கெனவே வெளியிடப்பட்டிருக்கும் ஜாபிதாவின் அடிப்படையில்தான் என்று சட்டப்படி இருக்கிறது. அப்படியிருந்தும், அதிகாரிகள் ஒரு நம்பிக்கையை உண்டாக்கி, இவ்வளவு வோட்டர்களை சேர்த்துக் கொண்டு, தேர்தல் காலத்தில் குழப்பத்தை ஏற்படுத்திக்கொண்டிருக்கிறார்கள். இதைப் பரிசீலனை செய்யவேண்டும். மேலும் அக்டோபர் 10-ம்

[Sri M. Kalyanasundaram] [26th September 1955]

தேதி நடைபெறக்கூடிய தேர்தலுக்கு அக்டோபர் 7-ம் தேதி வரையில் வோட்டர்கள் ஜாபிதாவைத் தயாரித்துக் கொண்டிருக்கலாம் என்றால், அபேக்ஷர்கள் இறுதியான ஜாபிதாவைப் பெற்று, தங்களுடைய வோட்டு களைப் பெறுவதற்கு எப்படி முயற்சி எடுக்க முடியும்? இதனால் சங்கடம் உண்டாகிறது. சட்ட விரோதமான முறையில் வோட்டர்கள் ஜாபிதாவைத் தயார் செய்வதைத் தடுக்கவேண்டும் என்பதற்காகத்தான் இந்தப் பிரச்சினையை சர்க்கார் கவனத்திற்குக் கொண்டுவந்திருக்கிறேன். இருக்கும் நிலைமையை விளக்குமாறு கேட்டுக்கொள்ளுகிறேன்.

THE HON. SRI C. SUBRAMANIAM : Mr. Deputy Speaker, Sir, under section 44 of the Madras District Municipalities Act, 1920, such portions of the electoral rolls for the Madras Legislative Assembly constituencies as relate to each municipality are arranged in accordance with its electoral wards and published as the electoral roll for the municipality by the Municipal Commissioner or the person authorized by the Election Authority, viz., the Inspector of Local Boards or the Regional Inspectors of Municipal Councils and Local Boards, not later than the date fixed by the Election Authority. If, after the publication of the electoral rolls for the municipality, the electoral rolls for the Assembly constituencies which relate to any such electoral ward or any portions thereof are revised or amended in pursuance of the Representation of the People Act, 1950, and of the Representation of the People (Preparation of Electoral Rolls) Rules, 1950, the alterations in the portions of the said rolls which relate to the municipal electoral ward are published by the Municipal Election Officer not later than the date fixed by the Election Authority. The amendments issued to the Assembly electoral rolls from time to time are communicated by the Electoral Registration Officers to the Municipal Commissioners.

The inclusion of names in the current M.L.A. electoral rolls can be made under rule 20 (2) of the Representation of the People (Preparation of Electoral Rolls) Rules, 1950, under which a person may make an application to the Electoral Registration Officer for the inclusion of the name by affixing to the application, non-judicial stamps to the value of Re. 1. If the Electoral Registration Officer finds after following the prescribed procedure (which will take about 10 days) that the applicant is qualified for registration in the roll, he will order the inclusion of the name and send a copy of the amendment to the Municipal Commissioner. Instructions are being issued from the Public (Elections) Department that Electoral Registration Officers should not issue amendments to the 1954 rolls any more, as the Revised Consolidated Electoral Rolls, 1955, will come into force from 1st October 1955.

The amendments to the 1954 electoral rolls issued by the Electoral Registration Officers will take effect for purposes of municipal elections only after they are published by the municipal election officers (Commissioners).

In July 1955, the Inspector of Local Boards reported that if the Municipal Commissioners were to publish the amendments

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to the municipal electoral rolls as and when they are intimated to them by the Electoral Registration Officers after receiving his directions, it might involve some delay, causing inconvenience to candidates and voters and he, therefore, suggested that a general authorization might be issued to municipal election officers to publish the amendments as soon as they were intimated. The Government accepted the suggestion and issued orders accordingly.

It has been represented to Government that unscrupulous additions to the municipal electoral rolls are sought to be made by interested candidates standing for the ensuing elections to municipal councils after filing their nominations, and that such a practice will not ensure fair elections. The Government have carefully examined the question in the light of the above representation. To prevent the abuses referred to above, they have since withdrawn with immediate effect the general authorization issued to Commissioners of Municipalities for publication of amendments on receipt from Electoral Registration Officers. The municipal election officers have also been directed not to publish under section 44 (2) of the Madras District Municipalities Act, 1920, any amendment to the electoral roll for any territorial constituency of the Madras Legislative Assembly that may be received from the Electoral Registration Officers, until the ensuing elections to municipal councils are over. I am sure that this will meet the situation which has been brought to the notice of the Government.

SRI M. KALYANASUNDARAM: On a point of clarification, Sir. Will these instructions take effect from the date of notification of this election or only for the registration which will take place in future after the issue of these instructions?

THE HON. SRI C. SUBRAMANIAM: If any action has already been taken for the publication of the amended electoral rolls, it cannot be set aside even by the Government. But I understand that no such publication has taken place.

DEPUTY SPEAKER: Next item on the agenda. We shall now take up the Code of Criminal Procedure (Madras Amendment) Bill, 1955.

V.—GOVERNMENT BILLS,

(1) THE CODE OF CRIMINAL PROCEDURE (MADRAS AMENDMENT)
BILL, 1955 (L.A. BILL NO. 27 OF 1955).

THE HON. SRI C. SUBRAMANIAM: Mr. Deputy Speaker, Sir, I move—

“That the Code of Criminal Procedure (Madras Amendment) Bill, 1955 (L.A. Bill No. 27 of 1955), as amended by the Joint Select Committee, be taken into consideration at once.”

[Sri C. Subramaniam] [26th September 1955]

Sir, day before yesterday I presented the Report of the Joint Select Committee in this House. What we are seeking to do by this Bill is to bring the practice relating to the trial of criminal offences in the City of Madras in line with that which prevails in the mufassal stations. Till now the trial within the City was held in respect of sessions cases by the original side of the High Court and a special procedure has been prescribed for the purpose. After consideration of the matter in consultation with the High Court, the Government have come to the conclusion that a Sessions Court may be established as in other districts for Madras City also, that criminal trials should take place before that Sessions Judge and that the procedure applicable under the Criminal Procedure Code for the trial of sessions cases in the mufassal centres should be made applicable to the trial of cases before the Sessions Judge in the City also. The Bill is designed to achieve this purpose. The only point for consideration here is whether in respect of those cases the trial should take place within the City limits with the assistance of a jury or not. We have got powers under the Criminal Procedure Code to order the trial of any class of cases with the assistance of a jury. After the experience we gained with reference to jury trial in the mufassal, we thought that it was not desirable to have the assistance of the jury in the trial of any class of cases in the mufassal. So, we have withdrawn the notification and all the sessions cases are being tried with the assistance of assessors now. Even that will go after the new amended Central Act comes into force. Now, with reference to the City, it has been represented that this jury system has worked fairly well. Therefore, it is the intention of the Government to give a fair trial to the jury system. Even when we change the mode of trial by transferring the cases from the High Court to the Sessions Court, it is our intention to have them tried with the assistance of the jury, and after having the experience of about a year, to review the situation here and then take a final decision with reference to the City also whether to continue the jury system or not. That is the only point which will have to be considered by this House. As far as that is concerned, the Joint Select Committee agreed with the view of the Government that it could be given a trial for about a year in the City and then the situation could be reviewed. Subject to this, I am sure that all the hon. Members will agree that all the other matters are only consequential with reference to the decision we have taken. In respect of the jury system, I have already explained the position of the Government. I am sure the House would agree that the existing provision in the Criminal Procedure Code is more than sufficient to meet the situation even with reference to jury trial within the City. I move the motion, Sir.

DEPUTY SPEAKER : Motion moved—

“That the Code of Criminal Procedure (Madras Amendment) Bill, 1955 (L.A. Bill No. 27 of 1955) as amended by the Joint Select Committee be taken into consideration at once.”

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* SRI V. GOPALA GOUNDER : Mr. Deputy Speaker, I rise to welcome this Bill. The object of this Bill is to give some relief to the High Court and to do away with the difference in procedure relating to cases heard by Sessions Courts in the mufassal and cases tried by the High Court. The consequential amendments in this regard are brought forward in this Bill. The principal amendments contained in this Bill are these. One of them relates to trial of cases for defamation against officers of the State and other public functionaries. Originally, there were different forms of trial of such cases in respect of the City and the mufassal. The High Court was given power to try such cases. According to the present amending Bill, the trial by the High Court has been done away with, with reference to these offences. Some of these changes have been necessitated consequent on the passing of the Central Act XXVI of 1955 by the Parliament. The second amendment is with reference to the jury system. Of course, the Hon. Minister for Law, when he presided over the Select Committee meeting expressed the view that he was in favour of introducing the jury system in the mufassal, because, in his opinion, it will not be conducive to the best administration of justice in the mufassal. It is his view that the jury system may not be feasible in respect of cases triable by Sessions Courts in the mufassal. Whatever it is, by the Central Act, it has been made clear that the assessors system would be abolished and the Sessions Court Judges can try some cases of their own accord. The State Government had also power to notify cases which should be tried with the aid of jurors. If the jury system is completely done away with, it means that the Judges are to try the cases of their own accord. In the case of the trial by the High Court, some Members of the Select Committee expressed the view that the jury system should be continued for all trials held by the High Court irrespective of the nature of the cases that come before them. As the jury system in Madras City was working fairly well, it was urged that it should be retained. But, the State Government have been given power to specify the class of cases which should be tried by the High Court. But, later on, the Committee was of the opinion that all cases should be tried with the aid of jurors, and no decision was, however, taken then. It is a matter for us to discuss not. After the coming into force of the Central Act, the assessors system will be abolished. But till then, it will continue. From our experience, we know that that system was not helpful either to the Court or to the public. It is a welcome feature to have the trials with the aid of a jury. As I said, the State Government have power to notify cases which should be tried with the aid of jurors. Even now, they have got this power to notify cases, especially cases which involve property. I think we can retain that provision.

12-20
P.m.

Sir, there is another amendment which looms large in this Bill and that is with regard to the submission of list of witnesses by

[Sri V. Gopala Gounder] [26th September 1955]

the accused persons when they are committed to a Court of Sessions. Of course, we are agreeable to that. Also, there is another amendment which says that an appeal shall lie against acquittal to the Court of Sessions. Section 411-A says that appeals can lie only on a question of law. Now, it has been provided that appeals may lie even on a question of fact. This is a welcome provision. So far as the original jurisdiction of the High Court is concerned, section 526 of the Criminal Procedure Code empowers the High Court to call any case from any court or to withdraw or transfer any case, from one court to another. This is a welcome measure and may be passed without any division.

SRI P. K. GOPALAKRISHNAN : Mr. Deputy Speaker, it is a welcome measure that the Government have now decided to abolish the original side of the High Court with regard to the criminal jurisdiction. It is only during the last session, that we passed a Bill raising the jurisdiction of the City Civil Court to Rs. 50,000, thereby reducing the jurisdiction of the High Court in its civil side.

Sir, this difference in procedure with regard to mufassal and City came into force when the British were governing our country. At that time, this particular procedure which gives original jurisdiction to the High Court at Madras, Bombay and Calcutta was introduced by the British so as to give protection to the British vested interests who were concentrating in the City. They thought that if the cases, both civil and criminal, were tried by the Judges of the High Court, who invariably were Britishers, the British citizens in the City who were parties in such cases could get better deal from the High Court Judges, than they might get if such cases were tried by Indian judges. That is the historical background of this procedure, which had been introduced at that time to safeguard the interests of their citizens by Letters Patent appeals. Now that our country has become independent and there is no particular need for maintaining this procedure, it is a welcome feature that the Government have decided to abolish the original side of the High Court. It is good that the Sessions Court is established in the City also just as in the mufussal. Still, I would like to point out that there are a few discrepancies which have to be removed. For instance, under Section 411 of the Criminal Procedure Code, no appeal shall lie to the High Court unless the term of imprisonment exceeds six months, or if it is a case of fine, it does not exceed Rs. 200. At that time, such a provision might have been thought necessary as the High Court should not be worried with appeals from low sentences. But, now that a Sessions Court is to be established in the City, the Government can very well include a provision in the Code so as to allow appeals from Presidency Magistrates' Courts even against sentences which may not exceed six months' imprisonment or a fine of Rs. 200. If this is done, it will help the people here to get better justice. Because, if the sentence does not exceed six months' imprisonment or if the fine does not exceed Rs. 200, there will be no right of

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appeal to the aggrieved person and there is a likelihood of justice not being done. Therefore it is only proper that this also is brought in line with the situation that is prevailing in the mufussal. This can be done only by accepting the amendment tabled by me to clause 38 of the Bill, namely, 'Provided not withstanding anything contained in this Code, any person convicted on a trial held by a Presidency Magistrate may appeal to the Sessions Judge in the City of Madras if the Magistrate has sentenced him to imprisonment for a term that does not exceed six months or to a fine that does not exceed two hundred rupees'.

12-30
p.m.

Again, Sir, in the amendment Act recently passed by the Central Legislature a new procedure is adopted for trying cases with regard to defamation of public servants while discharging their duties. A new Section, section 198 (b) is introduced in the Code of Criminal Procedure by that amendment Act XXVI of 1955 of the Government of India. This special procedure with regard to prosecution for defamation against public servants in respect of their conduct in the discharge of public function is quite unwarranted. There is no necessity to commit the case to a Sessions Court. The Sessions Court can take notice of a case of this sort without being committed by a trial court, that is, the magistrate's court. This is an undue advantage given to the public servants for which there is no necessity. The Hon. Minister was pleased to state that the jury trial is retained with regard to the City of Madras for one year only as an experimental measure. But in this particular procedure with regard to prosecution for defamation against public servants in clause 5 of the new section it is provided that the court of session shall try cases without the jury. Why should not Government accept the provision that in this matter also the jury trial will be there for one year as an experimental measure? This particular procedure with regard to prosecution for defamation of public servants in the discharge of their public functions is not at all proper. I hope Government would accept the amendments given notice of by me and enable justice to spread its arms more wide. With these words I resume my seat, Sir.

* SRI K. PARTHASARATHY: Mr. Deputy Speaker, Sir, I welcome the report of the Select Committee and the provisions as amended by the Select Committee. It was long felt that the system of trial of criminal cases in the City should also be entrusted to sessions judge rather than to the High Court. The provisions of this Bill provide for the trial of sessions cases in the City of Madras not by the High Court but by a sessions judge to be appointed hereafter. This is a welcome provision and I am sure it will be supported by all sections of the House. In the dissenting minutes, doubt has been raised whether the original criminal jurisdiction conferred on the High Courts by Letters Patent can be interfered with by this House and whether the provisions of this amending Bill will not be affected by the Letters Patent. I have no doubt that this House has got the power to legislate with respect to the trial of cases not by the High Court but by the Sessions Court to be constituted for the purpose. So far as the provisions relating to

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the trial of such cases by Sessions Court is concerned, I am sure they are all right and this House has got the necessary power, because under the Constitution this matter comes under the concurrent list. This Legislature can make provisions for all matters which are included in the Code of Criminal Procedure. But we find that the High Court is given power to try criminal cases in its original jurisdiction. Whether such jurisdiction has to be taken away by express provision has to be considered. I think to be on the safe side an additional clause is necessary specifying that notwithstanding anything contained in the Letters Patent relating to the High Court the trial of criminal cases in the Presidency town should be by Sessions Court to be established under the Code of Criminal Procedure. If such a provision is made I think there will be no occasion in the future to contend or dispute that the provisions of this Bill are not valid. I would therefore request the House to consider whether it would not be desirable to include such a provision in this Bill. Otherwise I support all the provisions of the Bill.

SRI S. PANCHAKSHARAM : Mr. Deputy Speaker, Sir, I am glad the Hon. Minister for Finance allows the continuance of the trial by jury only for one year. I was under the impression that the procedure was going to be uniform throughout the State. But for some reason or other, the Government seem to think that the trial by jury should continue in the City for at least one year more. I am however, glad he has restricted the time to one year. He seems to think that the jury in Madras is so infallible that its continuance must be considered necessary for some time more. I would like to submit that after the trial of some famous criminal cases, murder cases in the High Court Sessions, particularly starting with the Bagavathar's case, the impression that has gained ground is that the jury that is empanelled even in the City of Madras is not above board, is not so infallible as is sought to be made out. Three different judges in Bagavathar's case addressed the jury in three different ways and the jury empanelled in all the three trials came to three different verdicts. You can easily understand to what amount of mental agony the accused in that Lakshmi-kantam murder case would have been put to. The agony was prolonged for many years and the accused had to take his case all the way to England to set right a wrong which was committed by the jury in Madras. Therefore the shorter the time fixed for continuing trial by the jury even in the city, the better it would be for the State.

12.40
p m.

THE HON. SRI C. SUBRAMANIAM : Mr. Deputy Speaker, Sir, some hon. Members seemed to be worried about the Letters Patent and whether it would not stand in the way of the legislation that we are undertaking now. The Letters Patent issued under the authority of the Parliament has validity only to the extent we have recognized it in the Constitution. After the coming into existence of the Constitution, we are governed by the provisions of the Constitution and the provisions in the Letters Patent which have been recognized in the Constitution alone can have validity.

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With regard to the jurisdiction and the working of the High Court, we are governed by Article 225 of the Constitution which says—

“ Subject to the provisions of this Constitution and to the provisions of any law of the appropriate Legislature made by virtue of powers conferred on that Legislature by this Constitution, the jurisdiction of, and the law administered in, any existing High Court, and the respective powers of the judges thereof in relation to the administration of justice in the Court, including any power to make rules of Court and to regulate the sittings of the Court and of members thereof sitting alone or in Division Courts, shall be the same as immediately before the commencement of this Constitution.”

Therefore, the jurisdiction of the High Court, the procedure, the practice and everything that has been followed just before the commencement of this Constitution, have all been recognized but subject to the provisions of the Constitution and ‘ to the provisions of any law of the appropriate Legislature made by virtue of powers conferred on that Legislature by this Constitution ’. So, any procedure that has been laid down or any jurisdiction that has been conferred upon the High Court under the Letters Patent is always subject to the Constitution and to the enactments which may be passed by the respective Legislatures. Thus, with respect to the jurisdiction of the High Court, our Legislature has got power and we are entitled to alter the jurisdiction of the High Court and vest another body with the jurisdiction to try criminal cases. Therefore, there is absolutely no question of the Letters Patent coming in the way of the legislative powers of this State. After all, these Letters Patent were issued under the authority of the King from England, and that has absolutely no validity now and that is why it would not stand in the way of our legislative enactments.

Then a reference was made to the Presidency Magistrate's Court and the hearing of appeals from the decision of the Presidency Magistrate's Court and a point has been raised, why not make the Sessions Judge the appellate authority in respect of the decision of the Presidency Magistrate's Court. Hon. Members are aware that the Presidency Magistrates' Courts are peculiar to the City alone and their constitution also is quite different from the judiciary we are having in the mufassal. The Chief Presidency Magistrate is always a very senior District Judge and now if we confer appellate powers upon the Sessions Judge, it might happen that the judgment of the Chief Presidency Magistrate will have to be scrutinized by the Sessions Judge junior to him. Such an anomaly is likely to arise and we are now considering the question of revising the entire Presidency Magistrate system whereby the Magistrate system in the City and the ordinary criminal judicial set-up in the mufassal will be brought on a par and a Presidency Magistrate need not be a District Judge. Therefore, we will have to wait for the scrutiny of the entire Presidency Magistrate system in the City and then if necessary make the necessary changes.

[Sri C. Subramaniam] [26th September 1955]

Then a reference was made to cases of defamation against officials and the procedure applicable to them. That has been done by the recent amendment of the Central enactment and we had no say in the matter. It is a Parliamentary enactment and, therefore, we will have to be guided by the procedure laid down there. But as far as the City Sessions Court is concerned, as has been pointed out by the hon. Member, Sri Panchaksharam, it is only as a trial that I have agreed to continue the jury system for another year and the position would be reviewed after that period and my own opinion is that whether it is in the City or in the mufassal, the same practice should prevail and, therefore, I hope, that this Motion will be carried.

SRI S. RAMALINGAM : ஸார், கனம் நிதி மந்திரி அவர்கள் சொன்னார், defamation சம்பந்தப்பட்ட அதாவது மான நஷ்ட நடவடிக்கை சம்பந்தமான பகுதி பார்லிமெண்டால் ஏற்படுத்தப்பட்டது அதைப் பற்றி நாம் ஒன்றும் சொல்வதற்கு இல்லை என்று. அந்தப் பகுதி நம் முடைய மாகாணத்திற்கு செல்லாது என்று சட்டம் செய்ய அதிகாரம் நமக்கு இருக்கும்போது ஏன் அதைச் செய்யக் கூடாது என்று கேட்க ஆசைப்படுகிறேன்.

THE HON. SRI C. SUBRAMANIAM : Yes, Sir, that is a matter which will have to be looked into separately but that is not relevant for the consideration of this Bill.

DEPUTY SPEAKER : The question is—

“ That the Code of Criminal Procedure (Madras Amendment) Bill, 1955 (L.A. Bill No. 27 of 1955) as amended by the Joint Select Committee be taken into consideration at once.”

The Motion was put and carried and the Bill was taken into consideration.

Clauses 2 to 5 were put and carried.

Clause 6.

SRI P. K. GOPALAKRISHNAN : Sir, I move the following amendment which stands in my name—

“ For the existing clause, substitute the following :

‘ 6. Amendment of section 198-B, Central Act V of 1898—Section 198-B of the Code be deleted.’ ”

SRI S. RAMALINGAM : Sir, I second it.

DEPUTY SPEAKER : Amendment moved—

“ For the existing clause, substitute the following :

‘ 6. Amendment of section 198-B, Central Act V of 1898—Section 198-B of the said Code be deleted.’ ”

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SRI P. K. GOPALAKRISHNAN : Sir, I move the following amendment which stands in my name—

“ Add the following as sub-clause (1), and *number* the existing clause as sub-clause (2) :

‘ (1) For sub-section (5) *substitute* the following :

“ (5) When the case is committed to the Court of Session, notwithstanding anything contained in this Code, the Court of Session shall try the case with a jury and the procedure prescribed for jury trial shall be followed ”.’ ”

SRI S. RAMALINGAM : Sir, I second it.

DEPUTY SPEAKER : Amendment moved—

“ Add the following as sub-clause (1), and *number* the existing clause as sub-clause (2) :

‘ (1) For sub-section (5) *substitute* the following :

“ (5) When the case is committed to the Court of Session, notwithstanding anything contained in this Code, the Court of Session shall try the case with a jury and the procedure prescribed for jury trial shall be followed ”.’ ”

Now both clause 6 and the amendments are before the House for discussion.

SRI P. K. GOPALAKRISHNAN : Sir, first of all, I want that the entire Section 198-B introduced by the recent amending Act passed by the Parliament be deleted as far as it relates to our State. With reference to the point raised in my speech just now, the Hon. Minister has stated that it is a measure passed by the Parliament and we are not concerned with that. But at the same time, there are certain amendments proposed by the Hon. Minister to the same section. He has proposed an amendment to delete sub-section (12) of that section. I do not understand why this Legislature cannot take any action . . . (The Hon. Sri C. Subramaniam : Not ‘ cannot ’ but it can be done at the appropriate time.)

Now, I think, it is the appropriate time to amend the Code of Criminal Procedure. Therefore, we can very well accept the position now itself and the special procedure with regard to defamation cases against public servants may be removed and it may be made on a par with other cases. Why is this special procedure and why even the jury trial is refused? We are retaining the jury trial for one year with regard to other cases in the City of Madras as an experimental measure. Why not we accept that position, with regard to defamation cases also for one more year at least as an experimental measure.

Again, why should the Sessions’ Court take cognizance of these cases, all on a sudden without being committed by a trial Court. Section 198-B made as follows :—

“ Notwithstanding anything contained in this Code, when any offence falling under Chapter XXI of the Indian Penal Code p.m

[Sri P. K. Gopalakrishnan] [26th September 1955]

(Act XLV of 1860) (other than the offence of defamation by spoken words) is alleged to have been committed against the President, or the Vice-President, or the Governor or Rajpramukh of a State or a Minister, or any other Public servant employed in connexion with the affairs of the Union or of a State, in respect of his conduct in the discharge of his public functions, a Court of Session may take cognizance of such offence, without the accused being committed to it for trial, upon a complaint in writing made by the Public Prosecutor."

DEPUTY SPEAKER: Order, order. I am not able to hear the speech of the hon. Member.

SRI P. K. GOPALAKRISHNAN: So, Sir, a special procedure has been provided, in the case of prosecution for defamation against public servants. With regard to other cases, the Sessions Court can take cognizance only after they are committed to it by a Trial Court. But here we are laying down a procedure enabling the Court of Session to take cognizance of a complaint made by the Public Prosecutor without the need for the accused being committed to it for trial. I wish to know why should there be a discrimination in the case of Government servants alone. Unless we are convinced that there is a necessity for adopting a special procedure with regard to defamation cases against Government servants, we cannot accept this procedure. We are not at all convinced about the need for introducing such a special procedure in the case of Government servants. That is why, I have suggested in my amendment that Section 198-B be deleted. In case this amendment is not acceptable, I wish that at least the jury trial may be allowed in such cases for one year just as in other cases. Sub-section (5) of section 198-B says:

"When the Court of Sessions takes cognizance of an offence under sub-section (1), then, notwithstanding anything contained in this Code, the Court of Session shall try the case without a jury and in trying the case, shall follow the procedure prescribed for the trial by Magistrate of warrant cases instituted otherwise than on a police report and the person against whom the offence is alleged to have been committed shall, unless the Court of Session, for reasons to be recorded, otherwise directs, be examined as a witness for the prosecution."

So, in respect of prosecution for defamation against public servants, the jury system of trial is being denied, whereas in all other cases tried by the Court of Sessions established in the City jury trial is allowed for one more year. Here again, Sir, a special procedure has been laid down in respect of prosecution against public servants. I want that this sub-section (5) in section 198-B should be deleted.

THE HON. SRI C. SUBRAMANIAM: Mr. Deputy Speaker Sir. I am really surprised at the obsession of the hon. Member with regard to the provisions made in Section 198-B. If only he had rightly understood the procedure outlined in that section, he would not have raised the objection against the procedure laid down there.

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The only point for consideration is this. With reference to defamation not by spoken words but with reference to defamation by written words, which should be the Court which should try it? With reference to these offences against public officials which judicial authority should be considered sufficient to go into the matter and then take a decision with regard to that? Ordinarily these defamation cases are tried by Magistrates. But, when high personages are involved like the President, or the Vice-President or Ministers of Government, the Parliament seems to have thought that it is better in such cases that a sufficiently higher judicial authority like the Sessions Judge should go into the matter rather than the Magistrate who may be overwhelmed by the importance of the persons concerned like the President or the Vice-President or the Ministers. That is why, in cases like that which are tried under one procedure by a Magistrate are made triable by a Sessions Judge. By this, protection is given to the person who is alleged to have committed the offence of defamation by giving jurisdiction to a higher judicial authority rather than judicial authority of a lower category. Therefore the point for consideration is this. The offence of defamation is ordinarily triable by a First-class Magistrate as a warrant case. Instead of making it triable by the First-class Magistrate, now the Sessions Judge is given powers to try that case not as a Sessions Case but as a warrant case as if it would have been tried by a Magistrate. If the Sessions Judge has to take cognizance for purposes of trial under the existing Criminal Procedure Code, there should be a committal order, and without that he cannot take cognizance. Besides, under the committal procedure by a Magistrate, the accused are put to unnecessary expenditure. What has been done now is that in the place of the First-class Magistrate trying the offence the Sessions Court shall try it following the same procedure adopted in the Magistrate's Court. Therefore, no special provision has been made against offences committed by public servants. On the other hand sufficient protection is sought to be given to the ordinary citizens who may be accused of offences against high personages. That is why, the Sessions Judge comes into the picture. I do not know why the hon. Member or his Party or anybody should take interest in people who commit offences of defamation against high personages.

Section 198-B includes, as far as the present Bill is concerned, the Original Side of the High Court which we are abolishing and that is why sub-section 12 of section 198-B is being deleted. The Parliament which is also a representative body in which also the Party represented by the hon. Member is represented, has passed the amending legislation after full consideration of the matter. I am sorry I am unable to understand the objections raised by the hon. Member.

SRI T. C. NARAYANAN NAMBIAR : With regard to trial of defamation cases in the Court of Sessions, hitherto the procedure followed was that the persons defamed had to file the complaint.

[Sri T. C. Narayanan Nambiar] [26th September 1955]

Here, the Public Prosecutor has been empowered to lay the complaint. May I know from the hon. Minister why this change in procedure has been made?

THE HON. SRI C. SUBRAMANIAM : When persons like the President or the Vice-President or Ministers of Government are concerned in defamation proceedings, their defamation affects the public administration also. It may be that a Minister does not like to submit himself to be cross-examined in such defamation cases and undergo all sorts of difficulties. But the Government may come to the conclusion that though the individual Minister concerned may not like to go to the Court and vindicate himself, a judicial forum should go through the matter and find out the truth so far as the allegations made against the Minister are concerned. Therefore, apart from the wishes of the individual concerned, the Government have been given the power to go to a Court so that if the allegation is true the Minister concerned will have to resign and get out of office and if the allegation is not true and if a false allegation has been made against him, certainly the offender will have to be punished. Therefore, from both points of view, it should not be left to the individuals concerned whether they should go to a Court or not. That is why the Public Prosecutor has been brought into the picture.

SRI P. K. GOPALAKRISHNAN : Sir, there is no question of any person defamed not going to Court because there is a provision that "the person against whom the offence is alleged to have been committed shall, unless the Court of Session, for reasons to be recorded otherwise directs be examined as a witness for the prosecution."

THE HON. SRI C. SUBRAMANIAM : Suppose he does not file a complaint at all and in that case he need not go to the Court.

SRI P. K. GOPALAKRISHNAN : Again, Sir, these provisions are not limited to the President, Vice-President or the Ministers of the Government. These provisions can be made use of even by petty public officials. The provision says " . . . any other public servant employed in connexion with the affairs of the Union or of a State" We have the experience of these public servants committing ever so many atrocities, if I may be allowed to use that word. But we have the experience that by creating public opinion, by creating public feeling that such and such officials are doing a mischief, erring officials can be prevented from indulging in such activities. It is always good that public pressure is created through public opinion. But now anybody who makes such a reference is now put under duress and he may be dragged on to a Court by a Public Prosecutor on a defamation charge. This clause is not at all a welcome provision and we want it to be removed.

THE HON. SRI C. SUBRAMANIAM : I hope the other members appreciate the need for this section. Every sort of defamation is not brought in. Only defamation against a public servant in

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respect of his conduct in the discharge of his public functions is brought in. In this we are concerned not with the person but with public administration. Therefore it should not be left to the choice of the person to go to a Court of law or not. It is made compulsory that the person should be a witness. Once he goes into the witness-box, he will be cross-examined by the defence lawyer. Various charges may go before a judicial tribunal. This is a salutary provision.

The hon. Member referred to public opinion. Public opinion should not intimidate Government officials to take wrong decisions or act in a wrong way. If anybody makes a written statement that an official has misbehaved and the latter denies misbehaviour, it is for the complainant to prove that he has misbehaved. If misbehaviour is proved, certainly the official will be condemned on the finding of the Judges. Not for the purpose of punishing alone, but in the interests of good and fair administration this provision is absolutely necessary. I think a very salutary principle is involved in this section. I am sure that on further consideration the Hon. Member will withdraw his amendments.

SRI P. K. GOPALAKRISHNAN: Though I do not accept the arguments advanced, I beg leave of the House to withdraw my amendments.

The two amendments moved by Sri P. K. Gopalakrishnan were by leave withdrawn.

Clause 6 was put and carried.

Clauses 7 to 37 were put and carried.

Clause 38.

SRI P. K. GOPALAKRISHNAN: As the Government have assured that they will reconsider the entire position with regard to the Presidency Magistrate's Court and bring forward a comprehensive Bill, I do not move the amendment of which I have given notice.

SRI T. C. NARAYANAN NAMBIAR: Sir, I move—

“ Add the following as item (iii) to clause 38 :—

‘ (iii) add the following proviso to section 411-A—

“ Provided nothing in this Act shall prevent an accused from filing an appeal on a conviction by a Presidency Magistrate to the Court of Sessions for the Presidency Town of Madras, where the sentence is less than six months' imprisonment or a fine less than Rs. 200, if the accused so desires ” ” ”

The amendment was duly seconded.

DEPUTY SPEAKER: Clause 38 and the amendment are before the House for discussion.

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SRI T. C. NARAYANAN NAMBIAR: In replying to Sri P. K. Gopalakrishnan, the Hon. Minister said that the Chief Presidency Magistrate would be senior to the Sessions Judge and that it would not be proper to provide for a junior man revising the judgment of the senior man. The object of this amendment is to do away with the difference in procedure between the mufassal and the Presidency Town of Madras. I do not want to deal with how this difference arose. It will be beyond the means of a poor accused to go to the High Court. The amendment does not make it obligatory that he should go to the Sessions Court. In case he desires to go to the Sessions Court, he is not precluded from exercising that right.

THE HON. SRI C. SUBRAMANIAM: I am sorry that the desire of a particular person is brought into the picture. Either we vest a court with appellate powers or we do not. We do not give appellate powers at the discretion of the accused or the complainant concerned. That the desire of the person concerned should decide whether an appeal should go to the High Court or to the Sessions Court militates against all canons of criminal jurisprudence. Apart from this, the objection which I placed before the House will hold good here also. Certainly we do not allow a junior Judge to sit in Judgment over a judgment passed by a senior Judge. Whether it is at the instance of the accused or the complainant or the State, such a state of thing cannot be allowed. I am sorry I am unable to accept the amendment.

SRI T. C. NARAYANAN NAMBIAR: May I know whether it is always the rule that a senior Judge shall be the Presidency Magistrate?

THE HON. SRI C. SUBRAMANIAM: Generally a very senior person is appointed as the Presidency Magistrate. That has been the convention. Now we are considering a revision of the whole thing and the Court of the Chief Presidency Magistrate will be brought in line with the mufassal Courts.

SRI T. C. NARAYANAN NAMBIAR: As the Deputy Speaker, the Minister and the other members have understood my stand in this matter and in view of the answer given by the Hon. Minister, I beg leave of the House to withdraw my amendment.

The amendment was by leave withdrawn.

Clause 38 was put and carried.

DEPUTY SPEAKER: Clauses 39 to 49 are now before the House for discussion.

SRI N. K. PALANISAMY: கனம் உதவி சபாநாயகர் அவர்களே, நான் 46-வது வார்த்தைக்கு ஒரு திருத்தம் கொடுத்திருந்தேன். நீங்கள் அதை நான் பிரேரிக்கக் கூடாது என்று உத்திரவு போட்டு விட்டீர்கள்.

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DEPUTY SPEAKER: If the hon. Member wants, let him oppose the clause. He cannot refer to the disallowed amendment.

SRI N. K. PALANISAMY: அதாவது க்ருமினல் ப்ரொஸிஜர் கோட் 407-வது ஷரத்து பிரகாரம் மாஜிஸ்ட்ரேட் கொடுத்த தீர்ப்பின் பேரில் செஷன்ஸ் ஜெட்ஜுக்கு அப்பீல் செய்து கொள்வதற்கு வசதி கிடையாது. அதற்காகத்தான் நான் திருத்தம் கொடுத்திருந்தேன். அந்த மாதிரியாக அப்பீல் செய்து கொள்ள வசதி அளிக்கக் கூடிய வயையில் இதனை சர்க்கார் திருத்துவார்களா என்று கேட்கிறேன்.

THE HON. SRI C. SUBRAMANIAM: விடய விடய ராமாயணம் கேட்டு காலையில் சிதைக்கும், ராமனுக்கும் என்ன உறவு என்று கேட்கிற கதையைப் போல் இருக்கிறது. கனம் அங்கத்தினருடைய கேள்வி. அதைப்பற்றித்தான் நான் இவ்வளவு நேரமும் சொல்லிக் கொண்டிருந்தேன். நான் முன்பு சொல்லிக் கொண்டிருந்தவையையே இந்தக் கேள்விக்கும் பதில்.

SRI S. RAMALINGAM: விடய விடய ராமாயணத்தை ஆங்கிலத்தில் சொல்லிக்கொண்டிருந்ததினால்தான் இந்தக் கேள்வி கேட்க வேண்டிய நிலைமை ஏற்பட்டது. தமிழில் சொல்லியிருந்தால் இந்த நிலைமை ஏற்பட்டிருக்காது.

THE HON. SRI C. SUBRAMANIAM: அவருக்கு ஆங்கிலம் தெரியும்.

DEPUTY SPEAKER: The hon. Member Sri Palanisami knows English. I shall now put clauses 39 to 49 to the vote of the House.

Clauses 39 to 49 were put and carried.

Clause 1 and the Preamble were put and carried.

THE HON. SRI C. SUBRAMANIAM: Sir, I move—

“That the Code of Criminal Procedure (Madras Amendment) Bill, 1955, be passed.”

SRI P. K. GOPALAKRISHNAN: Sir, with reference to the promise made by the Hon. Minister on the floor of the House just now that the Government will reconsider the position with regard to the procedure followed by the Presidency Magistrates' Courts in the City, and that a comprehensive Bill will be brought in, I hope that the Bill will be brought before this Legislature without delay.

THE HON. SRI C. SUBRAMANIAM: It is not a question of reconsidering the position. The matter is under the consideration of the Government now.

DEPUTY SPEAKER: The question is—

“That the Code of Criminal Procedure (Madras Amendment) Bill, 1955, be passed.”

The motion was carried and the Bill was passed.

[26th September 1955]

(2) THE MADRAS CITY CIVIL COURT (SECOND AMENDMENT)
BILL, 1955.

THE HON. SRI C. SUBRAMANIAM : Sir, I beg to introduce the Madras City Civil Court (Second Amendment) Bill^a, 1955, and move—

“ That the Bill be taken into consideration at once.”

This is a small amendment of the City Civil Court Act 1892. We recently passed an amendment to this Act conferring jurisdiction upon the City Civil Court up to Rs. 50,000. We had made provision therein under section 15 (2) for appeals against decrees in suits involving Rs. 5,000 or less being heard by the Principal Judge. Under the amended Act we have made the presiding Judge the Principal Judge and others Assistant Judges. Prior to the amendment, there was no Assistant Judge at all. Those Judges were called Additional Judges. But in respect of decrees passed by the Additional Judges and where the pecuniary value does not exceed Rs. 5,000, it should be possible for the Principal Judge to deal with the matter in appeal. But when we amended it, we did not make provision for that because we did not take note of the fact that the Assistant Judges were being called Additional Judges prior to the amendment. That is why this amendment is being brought in. Also, prior to the amendment, all the decrees of the City Civil Court were appealable only to the High Court. Therefore, there are certain appeals pending in the High Court whose pecuniary value is less than Rs. 5,000 which could now be heard by the Principal Judge of the City Civil Court. Therefore, we are making provision for the transfer of all those appeals also to the City Civil Court for disposal by the Principal Judge. That is the effect of the Bill. I hope that the House will accept the motion.

DEPUTY SPEAKER : Motion moved—

“That the Madras City Civil Court (Second Amendment) Bill, 1955, be taken into consideration at once.”

SRI P. K. GOPALAKRISHNAN : Sir, while passing the previous Bill, there had been voices on the floor of the House to see that the original civil jurisdiction of the High Court was entirely removed. Yet, no such Bill has been brought in by the Government. With regard to this Bill, we have no objection to accept it. But we had been expecting that the Government would soon bring in a Bill to see that the original civil jurisdiction of the High Court was entirely removed and the jurisdiction vested in the City Civil Court. In the mufassal the Assistant Sessions Courts, the Sub-Courts as well as the District Courts have unlimited jurisdiction. The City Civil Court also should be brought on a par with the mufassal Courts. We entreat the Government to bring in such a Bill without much delay.

^a Published in the Fort St. George Gazette, dated 24th August 1955.

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THE HON. SRI C. SUBRAMANIAM : Sir, I do not think that I gave any assurance that I would be soon bringing in a Bill abolishing the original side of the High Court with reference to civil jurisdiction in the immediate future. Just now we have given enhanced jurisdiction to the City Civil Court up to Rs. 5,000. Let us see how that works. After that, a further decision can be taken whether all the civil suits may be tried by the City Civil Court. Before that, I cannot give any assurance that in the immediate future any Bill will be coming up before this House for the abolition of the entire original side of the High Court with reference to civil jurisdiction.

SRI M. KALYANASUNDARAM : Is any such Bill under consideration now?

THE HON. SRI C. SUBRAMANIAM : It is not under consideration.

DEPUTY SPEAKER : The question is—

“ That the Madras City Civil Court (Second Amendment) Bill, 1955, be taken into consideration at once.”

The motion was carried and the Bill was taken into consideration.

Clauses 2, 3 and 1 and the Preamble were put and carried.

THE HON. SRI C. SUBRAMANIAM : Sir, I move—

“ That the Madras City Civil Court (Second Amendment) Bill, 1955, be passed.”

DEPUTY SPEAKER : The question is—

“ That the Madras City Civil Court (Second Amendment) Bill, 1955, be passed.”

The motion was carried and the Bill was passed.

DEPUTY SPEAKER : We have got one small Bill and it is an important one. Tomorrow the election of the Speaker will take place. We cannot take up any other work tomorrow. The Hon. the Leader of the House may move the Bill now.

SRI M. KALYANASUNDARAM : Sir, that is an important Bill on which a number of Members want to speak. If I am right, it is with regard to the extension of the inams. Let us have it day after tomorrow.

DEPUTY SPEAKER : The House will now adjourn and meet again at 11 a.m. tomorrow.

The House then adjourned.

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APPENDIX I.

[Vide answer to starred question No. 507 asked by Sri K. C. Gopalan Unri at the meeting of the Legislative Assembly held on 26th September 1955, page 316 supra.]

Subjects discussed at the Third Meeting of the Central Board of Forestry held at Octacamund during May 1955.

- 1 Progress report on action on the recommendations of the Second Meeting of the Board.
- 2 Implementation of the National Forest Policy.
- 3 Supply of sleepers to Railways.
- 4 Promotion of the use of secondary timbers after seasoning and preservative treatment.
- 5 Planning on an All-India basis, the production of suitable timbers for Defence Services and other institutions of national importance.
- 6 Rail transport facilities for timber and forest produce.
- 7 Raw materials for the paper, matches and plywood industries.
- 8 Co-ordination of timber marketing.
- 9 Manufacture of household coke to relieve pressure on forests.
- 10 Forest Resource Surveys.
- 11 Consideration of the recommendations of the Fourth World Forestry Congress.
- 12 Forestry in the Second Five Year Plan—Staff.
- 13 Review of the recommendations of the Calcutta meeting of the Indian Board for Wild Life.
- 14 Examination of important State Working Plans by a Central Agency.
- 15 Production of forest films.
- 16 Clamour of forest villagers for more rights.
- 17 Forestry training and education.
- 18 Co-operative research on items of interest to more than one State.

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RESOLUTIONS PASSED AT THE THIRD SESSION OF
THE CENTRAL BOARD OF FORESTRY HELD AT
OOTACAMUND FROM THE 12TH TO 14TH MAY 1955.

SPONSORED BY COMMITTEE No. 1 FOR TIMBER FOR INDUSTRIAL
AND NATIONAL NEEDS.

ITEM No. 5.

*Planning on an All-India basis the production of suitable timbers
for Defence Services and other institutions of national importance.*

1. The Central Board of Forestry recommends that—

(a) no tenders should be submitted by the State Forest Department against the tender notices issued by the Director-General of Supplies and Disposals and other Central Government Departments;

(b) the Director-General of Supplies and Disposals should consolidate the total requirements of all the departments and inform the State Forest Departments of their total requirements for a period of say, three years;

(c) the estimated requirements for the year should be intimated to the State Forest Departments six months in advance to enable them to ascertain the available quantities;

(d) the Heads of the State Forest Departments should meet the Director General of Supplies and Disposals so that the rates and the terms of supply may be negotiated. The rate so negotiated would apply for a period of one year at a time;

(e) the passing of timber should be done by the Forest Department officials which would be final. If, however, there happens to be any serious complaint, it should be referred to the Head of the Forest Department whose decision as the Head of the Forest Department, be conceded;

(f) in view of the fact that transport is not keeping pace with the available supplies, it is necessary that the material passed should be removed within a period of three months failing which the department will no longer be responsible for its quality. It is, however, recognized that certain species deteriorate much faster and that their removal should be arranged immediately they are passed by the Forest Department officials. If the material is not quickly despatched, the Forest Department will no longer be held responsible for deterioration which may subsequently take place;

(g) the Director-General of Supplies and Disposals will arrange payment to the extent of 75 per cent of all the materials that have been passed by the Forest Department officials against an inspection note, if the despatches are not arranged within three months. The balance would be payable as and when the material is despatched. Loading in all cases will be arranged by the State Forest Department.

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(h) the State Forest Departments should give some indication as to the estimated production from (1) their normal sources of supply and (2) from interior areas not yet tapped but available for supply, to enable the Director-General of Supplies and Disposals to take note of what supplies they could obtain from local sources. Save in exceptional circumstances, the Director-General of Supplies and Disposals should not import timber from abroad, and efforts should be made to utilize all the secondary timber by finding substitutes and subjecting the same to preservative treatment. The Director-General of Supplies and Disposals or his representative and the F.R.I. should examine this aspect of the problem; and

i) The Chief Conservator of Forests, Bombay, should send the Bombay Timber Grading Rules to the different States and also write to the Madhya Pradesh State Forest Department to do likewise. The State Forest Department should examine these grading rules and submit their comments to the Chief Conservator of Forests, Bombay who would consolidate the Grading Rules and send them to the State Governments for their final approval. If and when they are finalized, they would be binding on all the State Forest Departments. It is, however, recognized that the Grading Rules would not be uniform for all the species but would vary according to the species or group of allied species.

ITEM No. 3.

Supply of sleepers to Railways.

2. The Central Board of Forestry recommends—

(a) that the State Forest Departments should send to the Railway Board their breakdown of actual cost of production plus royalty;

(b) that the Railway Board should, if necessary, call the State Heads of Departments for discussion and finalization of the matter in order to save delay;

(c) that the passing of the sleepers should be done by Forest Department officials and should be considered final;

(d) that the Railways should set up depots at the despatching rail heads nominated by the State Forest Departments and should accept the sleepers immediately they are passed and delivered therein. After the sleepers have been delivered, it should be the Railways' responsibility to keep watch over them.

(e) that 80 per cent or 100 per cent, whatever is mutually agreed upon, should be paid after the sleepers have been delivered. The balance, if any, should be paid on despatch. The despatching will be done by the Forest Department with its own labour, and the rates agreed upon would be for despatching station; and

(f) that the sleepers should be graded by the Railways and their respective specifications laid down so that they may be used for various purposes such as main line sleepers, branch line sleepers, siding sleepers, etc., in order to ensure the maximum utilization of timber.

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ITEM No. 4.

Promotion of the use of secondary timbers after seasoning and preservative treatment.

3. The Central Board of Forestry recommends—

(a) that the Railway should set up seasoning and preservative plants of their own at centres which would be indicated by the State Forest Departments with relevant statistics ; and

(b) that if the Railway is not prepared to set up preservative and seasoning plants, the State Forest Departments should work out the estimates of the cost of supply of treated and seasoned timber as well as treated sleepers in order to negotiate a long term contract with the Railway and the Director-General of Supplies and Disposals and other timber-consuming interests so that the preservative and seasoning plants may be set up by the State Governments themselves.

ITEM No. 6.

Rail transport facilities for Timber and Forest Produce.

4. The Central Board of Forestry recommends—

That a Sub-Committee of the Board may be set up by the Chairman from time to time to tackle this and other similar problems at the highest possible level.

The Board also recommends that a case in respect of Railway freight charges should be prepared and submitted so that the freights may be suitably adjusted to fit in with the requirements of the various industries and other consumers—because it is this single item which can sometimes make the timber very expensive and beyond the means of the consumers, both industrial and others.

SPONSORED BY COMMITTEE No. 2 (TIMBER DEVELOPMENT).

ITEM No. 7.

Raw Materials for Paper, Matches and Plywood Industries.

5. The Central Board of Forestry recommends that—

(1) The commendations of its Standing Committee at its meetings on 2nd/3rd August 1954, be reiterated as follows :—

The suggestions that (a) specific forest areas be reserved for the paper industry and long term leases be granted for working such areas, (b) a rational method of price fixation be adopted and (c) roads be developed in such forest areas to facilitate transport, are commended to the notice of State Governments.

(2) The States be requested to devise measures to ensure continuity of supplies of raw material in order to sustain and encourage the development of industries based on forest produce.

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(3) The Central Government be requested to see that, in future, mills are set up with due regard to sustained supply of raw materials.

(4) The Central Government be requested to collect overall statistics of supplies required and available for these industries.

(5) The Central Government be requested to advise States regarding scope for development of such industries, in order that the States may plan their exploitation and planting programme suitably.

ITEM No. 8.

Co-ordination of Timber Marketing.

6. The Central Board of Forestry recommends—

(1) The establishment of a Central Co-ordinating Agency for the better marketing of timber and other forest produce both internally and for export. It would undertake direct co-ordination between large purchasing departments of the Central and State Governments and the supply to(?) States. It should also undertake advertising and popularizing of timbers in the country and abroad; and

(2) this agency would be best established under the directions of the Inspector-General of Forests.

ITEM No. 9.

Manufacture of household coke to relieve pressure on forests.

7. The Central Board of Forestry recommends that—

The Central Government be requested to set up pilot plant units (as suggested by the Fuel Research Institute) for the production of soft coke for domestic use from coal and lignite. The Central Government may also take steps to develop the increased use of alternative fuels for domestic purposes especially in areas where firewood is no longer readily available.

ITEM No. 10.

Forest resource surveys.

8. The Central Board of Forestry recommends that—

(1) Forest resource surveys may be conducted by States, in productive forest areas, to obtain full data regarding produce of known value as also of produce occurring commonly in the area. As a result of initial experience, such surveys could be extended progressively to fresh areas and less known items of forest produce as found necessary or desirable.

(2) The States may seek the advice of the Central Government regarding the technique of sampling and details of the procedure for such surveys, with specific reference to the types and features of their forests.

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(3) The Central Government may consider giving assistance to States with regard to equipment and funds for undertakings such surveys.

SPONSORED BY COMMITTEE NO. 3—PLANNING.

ITEM NO. 11.

Consideration of the recommendations of the Fourth World Forestry Congress.

9. The Central Board of Forestry endorses the recommendations of the Fourth World Forestry Congress and commends them to the State Governments, subject to the following observations:—

(i) The Central Soil Conservation Board be requested to consider the possibility of setting up a Research Station to study the problem of raising shelter belts in Rameswaram Island, and the similar areas.

(ii) The supply of plantation stock to private owners of forests should be at cost price, but technical advice should be free.

(iii) A special study of forest grazing in the country should be carried out by the Centre.

(iv) State working plans should pay special attention to the management of wild life.

(v) States should undertake special legislation to prevent the destruction of trees specially in hill stations and other hill areas, outside forests as well as in urban areas.

ITEM NO. 12.

Forestry in the Second Five-Year Plan—S aff.

10. The Central Board of Forestry approves in general the Second Five-Year Plan in respect of forestry as drafted by the Ministry of Food and Agriculture and observes that having regard to the fact that the inadequate provision was made in the First Plan for the development of forests special efforts should be made to develop forests in the Second Plan Period.

The Board is also aware that there are some State Schemes which are not covered by the draft plan of the Ministry of Food and Agriculture, e.g., the development of forest industries, including the minor forest products industries, the rehabilitation of degraded forest lands such as the erstwhile zamin dari and panchayat forests and recommends that such schemes should be considered for inclusion in the Second Five-Year Plan.

ITEM NO. 13.

Recommendations of the meeting of the Indian Board for Wild Life held in Calcutta in January-February 1955.

(Having regard to the desirability of legislation to be enacted in various States for the creation and management of National Parks, to follow a common pattern.)

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11. The Central Board of Forestry approves the recommendation of the Indian Board for Wild Life in this respect and commends it to the State Governments.

The Board also endorses other recommendations of the Calcutta Meeting of the Indian Board for Wild Life held in January-February 1955.

ITEM No. 14.

Examination of important State working plans by a Central Agency.

12. The Central Board of Forestry approves the idea of entrusting to the proposed Forestry Commission the task of scrutinizing the prescriptions of working plans of States and deviations therefrom.

The Board also feels that special emphasis should be laid on evolving a procedure in scrutinizing these plans, which would avoid delays.

ITEM No. 15.

Production of Forest Films.

13. The Central Board of Forestry recommends that—

For 8 or 16 m.m. (smaller gauge) films, the States should have organizations of their own and that they can approach the Central Government for such financial and technical aid and assistance as they may require, but for 35 m.m. (bigger gauge) films the States may approach the Ministry of Food and Agriculture, who, if they are satisfied that the films proposed by the State should be taken up, will take necessary steps to produce the films through the Ministry of Information and Broadcasting.

The Board is also of the opinion that the Ministry of Information and Broadcasting, Government of India, should produce such approved films as expeditiously as possible.

ITEM No. 16.

Grievances of forest villagers.

14. The Central Board of Forestry endorses the suggestion of the Government of India contained in item No. 16 (at page 59) of the agenda and explanatory notes of the Central Board of Forestry.

The Board is opposed to the eviction of villagers already settled by the Forest Department in the reserved forests without making alternative arrangements for their settlement elsewhere.

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ITEM No. 17,

Forestry Training in Education.

15. The Central Board of Forestry is of the view that another Officers' class should be opened at the Forest College, Dehra Dun, but the demands of the States should be so phased that there is a continuous flow of students into the College.

The Board feels that the question of continuous flow of the students in the College should be examined. The Board resolves that the States should be requested to supply suitable officers for the post of Instructors according to the quota fixed by the Government of India.

The Board agrees to the proposed change of the academic year from 1st April to 1st October and that the change may be effected from 1956.

The Board recommends that among the subjects of examination prescribed in rules 11 and 14 of the Admission Rules, "Geology" and "Mechanical Engineering" should be included.

The Board draws the attention of the States to the desirability of providing opportunities to selected officers to avail of the refresher course at Oxford.

ITEM No. 18.

Co-operative research on items of interests to more than one State.

16. The Central Board of Forestry recommends—

The necessity of replicating in various zones experiments done by the State Silviculturists so far as particular species of importance to the States are concerned and recommends that the Silviculturists of those States and the Central Silviculturists should meet annually in rotation in the various States and discuss their common problems and draw up a concerted programme of work. The co-ordinating authority shall be the Central Silviculturists.

The Board also considered the question of the spike disease of sandal which concerns several States, in particular, Madras, Mysore and Coorg and recognizes the necessity of renewed research on this important question. It recommends that a properly staffed research centre should be set up at Bangalore which is in the heart of the spiked area, for intensive research along hitherto little explored lines, with a view to finding a solution to the problem of spike disease.

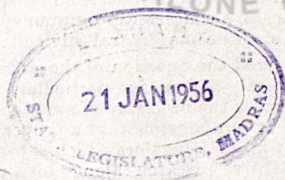
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APPENDIX II.

[Vide answer to starred question No. 2495 asked by Sri M. Narayana Kurup at the meeting of the Legislative Assembly held on 26th September 1955, page 330 supra]

Statement.

<i>Name of the district.</i>	<i>Name of the Deputy Registrar's Circle.</i>	<i>Place where the rural bank has been started so far</i>
(1)	(2)	(3)
Ootacamund	1 Ootacamund	Aravenu.
Madurai	2 Madurai	Otakadai.
	3 Dindigul	Chinnamanur.
Salem	4 Salem	Idapady.
	5 Dharmapuri	Arasampatti.
Coimbatore	6 Coimbatore	Thudiyalar.
	7 Erode	Kodumudi.
Tirunelveli	8 Tirunelveli	Melchaval.
	9 Tuticorin	Perungulam.
South Kanara	10 Mangalore	Kinnigoly.
South Arcot	11 Cuddalore	Kattumannarkoil.
	12 Tirukoilur	Tiruveennainallur.
Tiruchirappalli	13 Tiruchirappalli (North)	Turaiur.
Tanjore	14 Kumbakonam	Kuttalam.
Chingleput	15 Chingleput	Acharapakkam



8.